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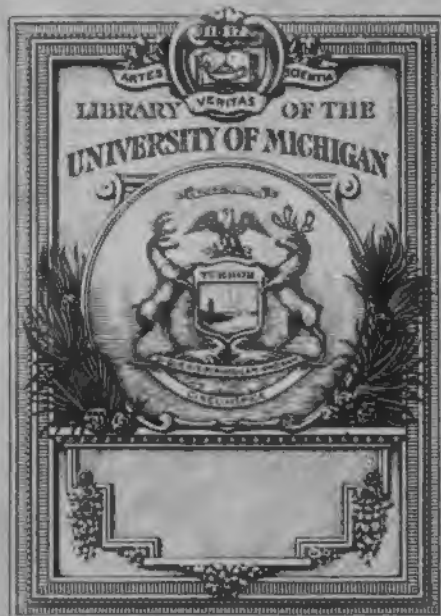
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PUBLIC ACTS
OF
THE LEGISLATURE
OF THE
STATE OF MICHIGAN

PASSED AT THE
REGULAR SESSION OF 1907
CONTAINING JOINT AND CONCURRENT RESOLUTIONS,
AMENDMENTS TO THE CONSTITUTION, AND THE
STATE TREASURER'S REPORT FOR THE
YEAR ENDING JUNE 30, 1907.



BY AUTHORITY

LANSING, MICHIGAN
WYNKOOP HALLENBECK CRAWFORD CO., STATE PRINTERS
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NOTE.—The words and sentences inclosed in brackets in the following acts and resolutions were in the bills and resolutions as passed by the Legislature, but not in the enrolled copy as approved by the Governor. It should, however, be borne in mind that under a decision of the Supreme Court, 57 Mich. 128, "Bracketed words, which were not in the law as approved by the Governor, have no proper place in the statute."

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PUBLIC ACTS

OF

THE LEGISLATURE

1907.

PUBLIC ACTS.

[No. 1.]

AN ACT to prohibit the catching, killing or destroying of fish with any form of spear, or trap, or with lines attached to bobs or tippets, in any of the waters in the county of Newaygo, Michigan; to provide a penalty for a violation of any of the provisions of this act; and to repeal all acts or parts of acts inconsistent herewith.

The People of the State of Michigan enact:

SECTION 1. That hereafter it shall be unlawful for any person or persons to catch, kill or destroy any fish with any form or kind of spear, or trap, or with lines attached to bobs or tippets, in any of the lakes, rivers or springs in the county of Newaygo, Michigan. ^{Unlawful fishing.}

SEC. 2. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof before any court of competent jurisdiction shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail for a period not exceeding ninety days, or both such fine and imprisonment in the discretion of the court. ^{Penalty.}

SEC. 3. All acts or parts of acts in anywise inconsistent with or contravening the provisions of this act are hereby repealed. ^{Repealing clause.}

This act is ordered to take immediate effect.

Approved January 23, 1907.

[No. 2.]

AN ACT to amend sections three, four and seven of act number forty of the public acts of eighteen hundred eighty-nine, being an act entitled "An act to authorize certain proceedings to quiet titles to real estate in the county of Charlevoix, and to provide for the punishment of persons who may testify falsely, or who may corruptly attempt to acquire title in such real estate, or who shall wilfully use or procure false testimony to establish his claim or title."

The People of the State of Michigan enact:

Sections amended.

SECTION 1. Sections three, four and seven of act number forty of the public acts of eighteen hundred eighty-nine, entitled "An act to authorize certain proceedings to quiet titles to real estate in the county of Charlevoix and to provide for the punishment of persons who may testify falsely, or who may corruptly attempt to acquire title in such real estate, or who shall wilfully use or procure false testimony to establish his claim or title," are hereby amended to read as follows:

Filing of affidavit and publication of notice.

SEC. 3. The person filing such affidavit with the register and clerk shall, within one month from the date of filing the same, cause to be published once in each week for six successive weeks, in a newspaper printed in the English language, published in the county of Charlevoix, and by posting the same in three of the most public places in the township where such land may be situated three weeks before a hearing, a notice in substance as follows: Land claim—Take Notice! The undersigned claims to have an interest in and to the following described lands, namely (describing the interest claimed): Any person or persons claiming adversely must enter his or her appearance in the county clerk's office of the county of Charlevoix within four months after the first publication of this notice.

Form of notice.

Adverse claims.

When order entered to prove title.

Proviso, when commissioners disqualified.

Order, what to state.

Certified copy of affidavit.

SEC. 4. After the expiration of four months from the first publication of the notice specified in the preceding section and within one year thereafter, if no appearance has been entered by any party claiming adversely, the party giving such notice, his agent or attorney, may enter in a book to be kept by the county clerk, an order referring his claim to any circuit court commissioner of Charlevoix county, to take proof of the title and possession of the claimant and report the same to the circuit court of the county of Charlevoix: *Provided*, If the circuit court commissioner or commissioners of Charlevoix county shall be interested in such land, or be of kin to any party to such suit or proceeding, or be otherwise disqualified from acting in such matter; then in case of such interest, kinship or other disqualification, a like order may be made referring such claim to some disinterested circuit court commissioner of any adjoining county to take such proofs and make such report to said court. The order of reference so entered shall state the time when, and the place where the proofs will be taken, at which time or place, unless the same is continued for cause shown, the claimant shall appear, produce and file with the commissioner a certified copy of the affidavit filed with the register and clerk, together with the proof of filing the same, also an affidavit of the publication of the notice required by this act, and a certified copy of the order of reference, upon the production and filing of which the commissioner shall proceed to hear the proofs of the claimant;

proof and title of such interest as described in the first section of this act, shall be made by producing and filing the deed or instrument under which the applicant claims title or interest, which if it appears to be duly executed and acknowledged so as to entitle it to record, and to have been duly recorded, may be taken as evidence of the title and interest claimed. The applicant, except in the case of mortgagee not in possession, shall also produce before the commissioner a person who shall make an affidavit substantially as follows: Being duly sworn says that on the eighth day of October, eighteen hundred eighty-seven, was well acquainted with the land following, to-wit: (setting forth the plans) that (stating who) was then in possession thereof and had been (stating the time previous thereto) in which affidavit the deponent shall fully state his means of knowledge of the facts therein stated as to the possession of the premises, and further that he has no direct or indirect interest in said claim and that he expects no advantage to himself thereby.

Proof and title, how made.

Affidavit form of.

SEC. 7. The commissioner shall annex together all the papers and proofs produced before him, and shall make return thereof to the then next or pending term of the circuit court for the county of Charlevoix, together with his written opinion as to the validity of the claim as made before him.

Commissioner to make return.

This act is ordered to take immediate effect.

Approved January 23, 1907.

[No. 3.]

AN ACT to provide a probate register for Shiawassee county, and to fix his compensation.

The People of the State of Michigan enact:

SECTION 1. The judge of probate of Shiawassee county shall have power to appoint a probate register for said county, who shall receive an annual salary of seven hundred dollars, to be paid monthly out of any money in the county treasury of said county not otherwise appropriated. Said register shall have power to receive all petitions and fix the time for all hearings and do all other acts required of the judge of probate, except judicial acts. The said register shall hold office during the term for which the judge of probate appointing him shall have been elected, unless sooner removed by said judge of probate.

Judge of probate to appoint.

Power of register.

Term of office.

This act is ordered to take immediate effect.

Approved January 29, 1907.

[No. 4.]

AN ACT to fix the per diem compensation of members of the State Legislature from the Upper Peninsula for and during the session of nineteen hundred seven.

The People of the State of Michigan enact:

Extra per
diem for
Upper Penin-
sula members.

SECTION 1. In addition to the compensation, mileage and allowance for all stationery as fixed by law for members representing the several senatorial and representative districts in the Upper Peninsula, there shall be allowed and paid two dollars per diem extra compensation during the legislative session of the year nineteen hundred seven.

This act is ordered to take immediate effect.

Approved February 6, 1907.

[No. 5.]

AN ACT to permit the taking of herring and other rough fish in Keweenaw bay, in Baraga county, and the waters of Lake Superior adjacent to Marquette county, State of Michigan, at certain seasons of the year, and to prescribe the kind of nets and the size of meshes to be used, and to repeal act number two hundred seventy-five of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

Pound nets,
when may be
used.

SECTION 1. It shall be lawful to use pound nets, the meshes of the pot, crib or pocket of which shall not be less than two inches, extension measure, as used, for taking or catching perch, herring and other rough fish in the waters of Keweenaw bay, in Baraga county, and the waters of Lake Superior adjacent to Marquette county, State of Michigan, from the first day of September in each year until the first day of July in the year following.

Gill nets.

SEC. 2. It shall be lawful to use gill nets with meshes not less than two and three-eighths inches, extension measure, as used, in the waters and during the time specified in section one of this act, for taking or catching herring and other rough fish: *Provided*, That nothing in this act contained shall permit the use of nets with meshes smaller than specified in act number eighty-eight of the public acts of eighteen hundred ninety-nine, whenever and wherever it shall be known that they interfere with or catch immature

Proviso.

whitefish or lake trout. By immature fish is meant those so Immature fish. small that the taking thereof is prohibited by the general laws of this State.

SEC. 3. This act shall apply to and be operative in the Application of act. waters of Keweenaw bay in Baraga county, and the waters of Lake Superior adjacent to Marquette county, State of Michigan, and all acts or parts of acts contrary to or inconsistent with the provisions of this act shall be inoperative in said waters.

SEC. 4. Act number two hundred seventy-five of the public acts of nineteen hundred five is hereby repealed. Act repealed.

This act is ordered to take immediate effect.

Approved February 7, 1907.

[No. 6.]

AN ACT to amend section fourteen of act number twenty-one of the public acts of nineteen hundred five, approved March sixteen, nineteen hundred five, entitled "An act to amend section fourteen of act number two hundred thirty-seven of the public acts of nineteen hundred three, approved June eighteen, nineteen hundred three, entitled 'An act to amend section fourteen of chapter nine of act number two hundred fifty-four of the public acts of eighteen hundred ninety-seven,' approved June two, eighteen hundred ninety-seven, entitled 'An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto.'"

The People of the State of Michigan enact:

SECTION 1. Section fourteen of chapter nine of act number two hundred fifty-four of the public acts of eighteen hundred ninety-seven, approved June two, eighteen hundred ninety-seven, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," said section fourteen having been added to said chapter nine by act number ninety-one of the public acts of nineteen hundred one, and amended by act number two hundred thirty-seven of the public acts of nineteen hundred three, approved June eighteen, nineteen hundred three, and further amended by act number twenty-one of the public acts of nineteen hundred five, approved March sixteen, nineteen hundred five, is hereby amended to read as follows: Section amended.

Supervisors of certain counties may determine conditions for construction of.

Commissioner must comply with conditions.

May fix number etc., of employes.

May require annual detailed report of commissioner.

Allowance of items.

When account may be paid in full.

When may remove and appoint new commissioner.

Proviso, proceedings now pending.

SEC. 14. The boards of supervisors of Hillsdale, Clare, Saginaw, St. Joseph, Cass, Isabella, Gratiot, Shiawassee, Ottawa, Barry, Montcalm, Van Buren, Alpena, Berrien and Cheboygan counties, at any session thereof, may from time to time, by resolution, fix and determine such further conditions than those herein set forth, to be complied with before all or any contract shall be made or entered into for the construction, improvement or clearing out of any drain as hereinbefore provided, as to such boards shall seem necessary and proper to protect all persons and townships that may be affected by the proceedings; and no contract or expenditure shall be made or entered into by the drain commissioner or his deputy without first complying with such conditions. Such boards may, in like manner, fix and determine the number and kind of employes the drain commissioner may employ and fix their compensation; and they may require that said commissioner, in each year, shall report to the boards at their October session, a full and detailed statement and account, under oath, of the time actually spent by him during the year in the discharge of his duty, and for what purpose; the names of all employes and the time actually spent by each, and for what purpose their labor was performed, and the amount paid or agreed to be paid each; and also all other expenditures and the names of all persons to whom moneys have been paid, and the amount paid each, and the purpose for which said expenditure was made. The boards may allow or disallow, in whole or in part, any item charged in such report and account, and only so much thereof shall be paid as shall be thus allowed; and no more than one-half of the several items in such report and account shall be paid, or orders drawn therefor, under the provision of section six, chapter nine of this act, until such account has been thus allowed by the boards of supervisors, as in this section provided. Such boards of supervisors of Hillsdale, Clare, Saginaw, St. Joseph, Cass, Isabella, Gratiot, Shiawassee, Ottawa, Barry, Montcalm, Van Buren, Alpena, Berrien and Cheboygan counties may, by a two-thirds vote of all the members elect, remove any such drain commissioner or his deputy, or both, of Hillsdale, Clare, Saginaw, St. Joseph, Cass, Isabella, Gratiot, Shiawassee, Ottawa, Barry, Montcalm, Van Buren, Alpena, Berrien and Cheboygan counties, and appoint another in his or their place and stead, except in such counties where the drain commissioner is elected by the vote of the people: *Provided*, That drain proceedings now pending in Hillsdale county in which contracts for construction of drains have not already been let, shall stand suspended and nothing further shall be done regarding the same until the board of supervisors of Hillsdale county shall

have taken action under the provisions of this section in the first instance.

This act is ordered to take immediate effect.

Approved February 19, 1907.

[No. 7.]

AN ACT to prohibit the spearing of fish in any of the lakes in the township of Broomfield, in the county of Isabella, State of Michigan.

The People of the State of Michigan enact:

SECTION 1. It shall be unlawful to spear fish in any of the lakes in Broomfield township, Isabella county, State of Michigan. Unlawful to spear.

SEC. 2. Any person found guilty, before any court of competent jurisdiction, of violating the provisions of this act shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment in the county jail not less than fifteen days nor more than ninety days or by both such fine and imprisonment in the discretion of the court. Penalty for violation.

This act is ordered to take immediate effect.

Approved February 27, 1907.

[No. 8.]

AN ACT to provide for the furnishing to the county clerk for the county of Calhoun an additional full set of the reports of the Supreme Court of the State of Michigan, to be kept in the city of Battle Creek, at the place of holding sessions of the circuit court of the county of Calhoun.

The People of the State of Michigan enact:

SECTION 1. The State Librarian is hereby authorized and directed to furnish, within ninety days after the passage of this act, to the clerk of the county of Calhoun, an additional complete set of reports of the Supreme Court of the State of Michigan, including all annotated reports of the present edition, the same to be placed and kept in the city of Battle Creek, at the place provided for holding sessions Additional set of Supreme Court reports.

To whom delivered.

of the circuit court for the county of Calhoun. And said librarian is hereby authorized and directed to deliver to said clerk one copy of each volume of said reports hereafter published. And the State Board of Auditors is authorized and directed to furnish all numbers of said Supreme Court reports not in possession of the State Librarian.

This act is ordered to take immediate effect.

Approved February 27, 1907.

[No. 9.]

AN ACT to amend section twelve of an act, entitled "An act to provide for a municipal court in the city of Grand Rapids to be called 'The Superior Court of Grand Rapids,'" approved March twenty-four, eighteen hundred seventy-five, as amended May nineteen, eighteen hundred seventy-seven, May twenty-three, eighteen hundred seventy-nine, April twenty-nine, eighteen hundred eighty-one, March twenty-one, eighteen hundred eighty-seven, February sixteen, eighteen hundred eighty-nine, April twenty-nine, eighteen hundred ninety-one, February eight, eighteen hundred ninety-five and June seven, nineteen hundred five.

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section twelve of an act, entitled "An act to provide for a municipal court in the city of Grand Rapids to be called 'The Superior Court of Grand Rapids,'" is hereby amended to read as follows:

Bailiff, how appointed, term of office, etc.

SEC. 12. A bailiff shall be appointed by the judge of said court, to hold his office at the pleasure of said judge, to attend the sittings of said court, and have the same power in the service of processes issued by or out of said court for the service and execution of the same as the sheriff for the county of Kent has in the service or execution of process from the circuit court for the county of Kent. Said bailiff shall execute all lawful precepts and commands of said court and serve all lawful writs and process issued therefrom including the service of subpoenas upon either the law side or chancery side of said court. The salary of said bailiff shall be the sum of one thousand dollars per annum, payable in monthly installments from the city treasury, upon the order of the common council, which sum shall be in full of all fees of every kind and nature for service rendered by said bailiff. The fees for the service of civil process of every kind and description of said court shall be the same as those allowed to be taxed or collected for the

Service of writs, subpoenas, etc.

Salary.

Fees.

services of sheriffs performing similar duties, and the same shall be collected by the said bailiff and paid into the city treasury from time to time when received by him. In the event of the inability of said bailiff at any time to attend court or to serve process or perform the duties required of him, the judge of said court shall be authorized to appoint an assistant bailiff to perform such services for which said assistant bailiff shall receive, to be allowed by the common council and paid by the city treasurer, the sum of two and one-half dollars per day. The said bailiff or his assistant when appointed by the court, shall have full power and authority to bring prisoners to the bar of said court from the county jail, and to return the same to the county jail when so required by the judge of said court. The sheriff of said county, or his deputies, shall likewise when required by the order of said court, produce persons charged with crime before said court and return the same to the county jail in the same manner and without other charge than is made to the county for bringing prisoners from the county jail to the circuit court of the county of Kent and returning the same. Actual disbursements in the execution of criminal process or the service of subpoenas in criminal cases shall be a charge against the county of Kent in the same manner as disbursements of a like character in criminal cases pending in the circuit court for the county of Kent.

Assistant
bailiff, com-
pensation of.

Power of
assistant.

Sheriff to
produce and
return prison-
ers.

Certain dis-
bursements a
charge against
county.

This act is ordered to take immediate effect.

Approved February 27, 1907.

[No. 10.]

AN ACT making appropriations for the Michigan State Agricultural Society for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. That there be and is hereby appropriated for the use of the Michigan State Agricultural Society for the fiscal year ending June thirty, nineteen hundred eight, the sum of ten thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of ten thousand dollars.

Appropriation.

SEC. 2. The amounts appropriated by section one of this act are to be used by said society for the payment of premiums to be awarded at the annual fair of nineteen hundred

How used.

	seven and the annual fair of nineteen hundred eight, on agricultural, horticultural, manufactured and domestic products grown or produced in the State of Michigan, and live stock owned in the State of Michigan, said premiums to be awarded under the direction of the executive committee of said society: <i>Provided</i> , That said society shall award and pay the further sum of ten thousand dollars in premiums at each of the annual fairs in the years above mentioned: <i>Provided, further</i> , That ten thousand dollars in premiums to be paid by the Michigan State Agricultural Society shall be exclusive of any premiums paid by said society for speed purposes.
Proviso.	
Further proviso.	
How paid.	SEC. 3. The ten thousand dollars appropriated by this act for the fiscal year ending June thirty, nineteen hundred eight, shall be paid out of the general fund in the State treasury to the treasurer of the Michigan State Agricultural Society on presentation of a requisition signed by a majority of the executive committee of said society, accompanied by a certificate signed by the president and secretary of said society that the amount of ten thousand dollars has been awarded and paid in premiums upon exhibits at the annual fair in nineteen hundred seven, exclusive of any premiums paid by said society for speed purposes: <i>Provided</i> , That within thirty days after the payment of the said ten thousand dollars by the State, the executive committee shall file vouchers with the Auditor General showing the amount of premiums paid on account of said fair in the year nineteen hundred seven: <i>Provided, further</i> , That in case the said premiums, exclusive of those paid by said society for speed purposes, shall amount to less than twenty thousand dollars, as shown by the vouchers thus filed with the Auditor General, the treasurer of said society shall accompany the vouchers with a draft in such an amount as added to the total payments represented by the vouchers will equal twenty thousand dollars: And, <i>Provided, further</i> , That the ten thousand dollars appropriated for the fiscal year ending June thirty, nineteen hundred nine, shall be subject to the same requirements as provided for the appropriation for the fiscal year ending June thirty, nineteen hundred eight. No portion of the appropriation for the fiscal year ending June thirty, nineteen hundred nine, shall be paid to the treasurer of said Michigan State Agricultural Society unless the provision applicable to the appropriation for the fiscal year ending June thirty, nineteen hundred eight, shall have been complied with.
Proviso, as to vouchers.	
Further proviso.	
Further proviso.	
Tax clause.	SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of ten thousand dollars, and for the year nineteen hundred eight the sum of ten thousand dollars, which, when collected, shall

be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved March 1, 1907.

[No. 11.]

AN ACT to amend section four of act number fifty-six of the public acts of nineteen hundred one, entitled "An act to authorize the prosecuting attorney of Oakland county, Michigan, to appoint an assistant prosecuting attorney for said county, and prescribing his duties, powers and compensation."

The People of the State of Michigan enact:

SECTION 1. That section four of act number fifty-six of the public acts of nineteen hundred one, entitled "An act to authorize the prosecuting attorney of Oakland county, Michigan, to appoint an assistant prosecuting attorney for said county, and prescribing his duties, powers and compensation," be and the same is hereby amended so as to read as follows: Section amended.

SEC. 4. Said assistant prosecuting attorney shall receive such compensation as the board of supervisors of said county shall direct. Compensation.

Approved March 6, 1907.

[No. 12.]

AN ACT to create a commission and define its powers and duties, and to make an appropriation for the purpose of making an historical and industrial exhibit upon the part of the State of Michigan at the Jamestown Ter-Centennial Exposition, to be held on the borders of Hampton Roads, Virginia, in the year nineteen hundred seven, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. A commission is hereby constituted, to be designated and known as the Board of Jamestown Ter-Centennial Exposition Managers for the State of Michigan, Commission created.

	which board shall consist of five residents of the State of Michigan, and the Governor shall be ex-officio a member of said board.
Members ap- pointed to meet and organize.	SEC. 2. The members of said board shall be appointed by the Governor within thirty days after this act shall take effect and shall meet at such time and place as the Governor may direct, when said board shall organize by taking and filing their respective constitutional oaths of office, and the election from their own number of a president, a vice-president and treasurer. Said board shall elect a secretary who shall not be a member of the board, and appoint one assistant or private secretary whenever the board shall determine such appointment necessary. Said board is hereby empowered to employ such agents and employes as it may from time to time deem necessary to carry into effect the provisions of this act. Said treasurer may, when so directed by said board, bring suit in his name in any court of competent jurisdiction for the protection of the interests of the State of Michigan or the rights of said board. Said treasurer, before entering upon the duties of his office, shall file with the Secretary of State a bond to the people of the State of Michigan in the sum of fifteen thousand dollars to be approved by the Governor, conditioned for the faithful performance of all his duties as such treasurer. Three members of said board shall constitute a quorum for the transaction of business after it shall be duly organized. The board shall have power to make rules and regulations for its own government: <i>Provided</i> , Such rules and regulations shall not conflict with the regulations adopted by the Jamestown Ter-Centennial Exposition. Said board of managers shall hold their office, subject to removal as hereinafter provided, from the date of their appointment to April one, nineteen hundred eight. Any member of the board may be removed at any time by the Governor for cause. Any vacancy which may occur in the membership of said board shall be filled by the Governor. The board of managers may be convened on the call of the president, and shall hold its meetings at such place as they shall designate.
Secretary.	
Agents and employes.	
Treasurer's bond.	
Quorum.	
Proviso, rules, etc.	
Term, removal, vacancy.	
Per diem and expenses of members.	SEC. 3. The members of such board so appointed by the Governor shall be entitled, as compensation for their services while in the actual performance of their duties, to three dollars per day and their actual and necessary expenses of transportation, and the further sum of two dollars per day for subsistence for each day they are actually and necessarily absent from their respective homes on the business of said board. The Governor shall be reimbursed for his actual and necessary expenses. Said board is hereby empowered to fix the compensation of said secretary, his assistant or private secretary and all agents and employes of said board. The expense of said commission shall be paid out of the moneys appropriated by this act, and in such manner as in this act provided, and not otherwise.
Compensation of secretary, etc.	

SEC. 4. The said board shall have charge of the exhibits of the State and those of its citizens in the preparation and exhibition thereof at the Jamestown Ter-Centennial Exposition of nineteen hundred seven, of the natural and industrial products of the State; of objects illustrating its history, progress, educational and material welfare and future development, and in all other matters relating to the Jamestown Ter-Centennial Exposition; it shall communicate with the officers of, and obtain and disseminate through the State all necessary information regarding said exposition, and in general have and exercise full authority in relation to the participation of the State of Michigan and its citizens in the Jamestown Ter-Centennial Exposition of nineteen hundred seven. Duty of board.

SEC. 5. The said board shall make a report of its proceedings and expenditures quarter yearly to the Governor, and at any time upon his written request, and at the expiration of their term of office shall make a final detailed report of receipts and expenditures to the Governor, said reports to be by him submitted to the legislature. Quarterly report, etc.

SEC. 6. All moneys drawn from the State treasury of the sum appropriated by this act shall be upon the requisition of the president and treasurer of the Board of Jamestown Ter-Centennial Exposition Managers, approved by the Governor on the warrant of the Auditor General on the treasury and accompanied by estimates of the expenses to the payments of which the money so drawn is to be applied, and no draft of money shall be made that shall make the amount in the hands of the treasurer of the board at one time more than two-thirds the amount of his bond to the State, and all moneys disbursed by the treasurer of the board shall be upon the order of the president of the board, countersigned by the secretary upon vouchers made in duplicate, containing an itemized statement of account and for what purpose the same is paid; and those accounts that are for traveling expenses and subsistence shall have attached thereto the affidavit of the persons claiming the same that such amount has been actually paid, and for the items and purposes stated therein, and that no claim therefor has been made heretofore. One of each of all vouchers shall be kept by the treasurer in his office and the duplicate, together with abstracts of accounts current, shall be by him filed with the Auditor General, as provided by act number one hundred forty-eight of the public acts of eighteen hundred seventy-three, and amendments thereto. Moneys, how drawn.

Accounts for traveling expenses, etc.

Voucher and duplicate.

SEC. 7. For the purpose of carrying out the provisions of this act there is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, out of any money in the State treasury the sum of twenty thousand dollars, or so much thereof as shall be necessary therefor: *Provided*, That there may be drawn and expended out of the money hereby appropriated not to exceed seven thousand five hun- Appropriation.

Proviso, administration building.

Proviso, responsibility of State.

Further proviso, funds for immediate use.

Disposal of property.

Tax clause.

dred dollars to procure plans, material, build and furnish a State administration building and for maintaining the same on the grounds of the Jamestown Ter-Centennial Exposition: *Provided*, That in no event or account shall the State of Michigan, or the said board created by this act, be held responsible or made liable for any sum in excess of the amount appropriated by this act, and in no event to damages to persons or property sustained by exhibitors or others: *Provided, further*, That if the commission is organized and in need of funds prior to July one, nineteen hundred seven, the Auditor General is hereby authorized to honor a requisition for such an amount within the limits of this act as the commission may certify is needed for immediate use, which sum thus advanced shall be deducted from the amount appropriated when the same becomes available.

SEC. 8. After the Jamestown Ter-Centennial Exposition shall have been closed, the board of managers is hereby authorized to sell to the highest bidder the building and property then on the exposition grounds on the borders of Hampton Roads, belonging to the State of Michigan, depositing the money received therefor in the State treasury for the benefit of the general fund; and further, any money in the hands of the treasurer of the board of managers belonging to the State shall be paid by him to the State Treasurer, and his accounts fully settled within six months after the close of said Jamestown Ter-Centennial Exposition.

SEC. 9. The Auditor General shall add to and incorporate in the State tax for the year nineteen hundred seven the sum of twenty thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for moneys hereby appropriated.

This act is ordered to take immediate effect.

Approved March 6, 1907.

[No. 13.]

AN ACT to regulate the taking and catching of fish in all lakes, rivers and streams in Benzie county.

The People of the State of Michigan enact:

Unlawful to use net, spear, etc.

Proviso, as to spearing,

SECTION 1. It shall not be lawful for any person or persons to take by net, spear or other device except by hook and line in hand any fish in any of the lakes, rivers or streams within the county of Benzie, State of Michigan: *Provided*, That suckers, mullet and redbside may be taken within the boundaries of said county with a spear from the fifteenth day

of May to the first day of July: And *Provided further*, That from the tenth day of November to the tenth day of December, inclusive, any person may spear whitefish in Crystal lake within said county and may use a jack-light therefor. Further proviso, whitefish.

SEC. 2. It shall be lawful to use a seine or minnow net not exceeding twelve feet in length for the purpose of taking shiner minnows for bait, from the first day of April to the last day of September in Crystal lake. Shiner minnows for bait.

SEC. 3. If any person shall have in his possession any other variety of fish minnows except shiners it shall be prima facie evidence of the illegal taking thereof: *Provided*, When any person or persons use a net or seine for taking shiner minnows for bait out of Crystal lake they shall immediately return to said lake any other variety of minnows caught in said net or seine. Prima facie evidence. Proviso, return of other varieties.

SEC. 4. Any whitefish lawfully taken in Crystal lake between November tenth and December tenth may be retained by any person or persons so taking them but shall not be sold or offered for sale. Whitefish, when not to be sold.

SEC. 5. The State Game Warden shall detail a deputy game warden to be located on Crystal lake, Benzie county, each year from November tenth to December tenth, who shall receive two dollars per day and expenses to be allowed and paid by the board of supervisors of Benzie county. Deputy game warden, compensation.

SEC. 6. Any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not exceeding five hundred dollars or imprisoned in the county jail of Benzie county not exceeding six months, or both such fine and imprisonment in the discretion of the court. Penalty.

SEC. 7. All acts and parts of acts inconsistent herewith are hereby repealed. Acts repealed.

This act is ordered to take immediate effect.

Approved March 6, 1907.

[No. 14.]

AN ACT to amend section one of act number two hundred seventy-nine of the public acts of nineteen hundred five, entitled "An act to regulate the catching of fish within the waters of Jackson county, and to provide a penalty for its violation."

The People of the State of Michigan enact:

SECTION 1. Section one of act number two hundred seventy-nine of the public acts of nineteen hundred five, entitled "An act to regulate the catching of fish within the waters of" Section amended.

Jackson county, and to provide a penalty for its violation," is hereby amended to read as follows:

Unlawful to fish except with hook and line.

Proviso, as to spearing.

SEC. 1. It shall be unlawful to catch any fish within the waters of Jackson county by means of spear, grab-hook, set lines or other devices, except by hook and line when held in the hand: *Provided, however,* That the spearing through the ice of pickerel, mullet, suckers and redhorse in the waters of said county during the months of January and February, and the spearing of suckers and redhorse during the months of March, April and May in the creeks, rivers and streams of said county shall be lawful.

This act is ordered to take immediate effect.

Approved March 6, 1907.

[No. 15.]

AN ACT to amend section one of act number forty-nine of the public acts of nineteen hundred five, entitled "An act to prohibit the catching of fish within a radius of one mile from the mouth of the outlet of Muskegon lake, White lake, Duck lake and Lake Harbor in the county of Muskegon with nets of any description and to prohibit the catching of fish with nets of any description in any of the inland lakes in said county of Muskegon and to repeal all acts and parts of acts inconsistent with the provisions of this act."

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section one of act forty-nine of the public acts of nineteen hundred five, entitled "An act to prohibit the catching of fish within a radius of one mile from the mouth of the outlet of Muskegon lake, White lake, Duck lake and Lake Harbor in the county of Muskegon with nets of any description and to prohibit the catching of fish with nets of any description in any of the inland lakes in the said county of Muskegon and to repeal all acts and parts of acts inconsistent with the provisions of this act," is hereby amended to read as follows:

Unlawful to fish with nets, etc., in certain waters.

SEC. 1. No person or persons shall fish with, use or set any seines, gill nets or any form of pound, trap, sweep or set nets, or any like device for taking fish in any of the waters of Lake Michigan within a radius of one mile from the mouth of the outlet of Muskegon lake, White lake, Duck lake and Lake Harbor in the county of Muskegon and no person or persons shall fish with any net of any description

in any of the inland lakes, rivers and streams or inland waters of the county of Muskegon, State of Michigan.

This act is ordered to take immediate effect.

Approved March 6, 1907.

[No. 16.]

AN ACT to amend section twenty-four of act number two of the public acts of nineteen hundred five, entitled "An act to amend act number eighty-two of the public acts of eighteen hundred seventy-three, entitled 'An act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter ninety-seven of the Compiled Laws of eighteen hundred seventy-one, and also act number ninety-four of the session laws of eighteen hundred seventy-one, approved April twelve, eighteen hundred seventy-one,' approved April fifteen, eighteen hundred seventy-three, and the acts amendatory thereof, by adding one new section thereto to stand as section twenty-four, providing for the reorganization and extension of mutual fire insurance companies, whose charters have expired by limitation," approved February four, nineteen hundred five.

The People of the State of Michigan enact:

SECTION 1. Section twenty-four of act number two of the public acts of nineteen hundred five, entitled "An act to amend act number eighty-two of the public acts of eighteen hundred seventy-three, entitled 'An act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter ninety-seven of the Compiled Laws of eighteen hundred seventy-one, and also act number ninety-four of the session laws of eighteen hundred seventy-one, approved April twelve, eighteen hundred seventy-one,' approved April fifteen, eighteen hundred seventy-three, and the acts amendatory thereof, by adding one new section thereto to stand as section twenty-four, providing for the reorganization and extension of mutual fire insurance companies, whose charters have expired by limitation," approved February four, nineteen hundred five, is hereby amended to read as follows: Section amended.

SEC. 24. Any mutual fire insurance company of this State whose charter has expired by limitation, may, within the period of eighteen months after the date of the expiration of such charter, or within four months after being notified by the Commissioner of Insurance of the expiration of the charter of the said company, by a vote of two-thirds of the mem- Company may reorganize.

Notice of special meeting.

Proviso.

Further proviso.

Members may withdraw.

Further proviso, date of charter.

bers present at any special meeting called by the president and secretary of said company for the purpose, determine to reorganize and extend its corporate existence for a period of not exceeding thirty years from the date of the expiration of its said charter. The notice of such special meeting shall be mailed to each member of said company at least fifteen days before the date fixed for such meeting, and thereupon the corporate existence of said mutual fire insurance company shall be extended as so determined, and such determination shall be deemed a reorganization of such company, and it shall succeed to all the rights and be subject to all the liabilities of the corporation so reorganized, and it shall not be necessary to change the policies or books or mode of the doing of the business of said company, and all the acts and doings of the officials of said company and the business and proceedings thereof done in the interim, between the date of the expiration of such charter and such determination, the character of which would have been legal and valid if done before such expiration, is hereby legalized and deemed legal and valid, and the officers of said company at the time of such determination may continue to hold office until the next regular annual meeting of said company thereafter, as fixed by charter or by-laws of said company: *Provided*, That a statement of proceedings to reorganize such company by the making of such determination, duly certified by the president and secretary of said company, at said meeting so determining, shall be presented to the Attorney General for his approval and be approved by him, and such certified proceedings and approval be filed in the office of the Commissioner of Insurance of this State, and also in the office of the county clerk of the county in which the principal office of the company is located, within sixty days after such approval: And *Provided further*, That a written or printed notice of such determination shall be mailed to each member of said company within ninety days after such approval by the Attorney General as aforesaid, and that it shall be the right of any member of said company who shall give notice to the secretary thereof within thirty days after the mailing of such notice, to withdraw from said company at that time, he remaining liable for his equitable and proportionate share of the losses incurred to that date, and entitled to his equitable and proportionate share of any surplus fund, which after the payment of all debts and liabilities of said company to that date, may remain in the treasury of said company: And *Provided further*, That from and after the date of the approval of this act all companies organized and doing business under and by virtue of this chapter shall print upon all policies thereafter issued by said companies, the date to which said company is chartered to do business.

This act is ordered to take immediate effect.

Approved March 7, 1907.

[No. 17.]

AN ACT to amend section sixteen of act number one hundred eighty-three of the session laws of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May twenty-nine, eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section sixteen of act one hundred eighty-three of the session laws of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May twenty-nine, eighteen hundred ninety-seven, is amended to read as follows: Section amended.

SEC. 16. In the third circuit, the stenographer of each division of said court shall be paid an annual salary of twenty-five hundred dollars. Salary of stenographer.

This act is ordered to take immediate effect.

Approved March 9, 1907.

[No. 18.]

AN ACT to provide for the selection of jurors in Houghton county, and to repeal certain acts in conflict therewith.

The People of the State of Michigan enact:

SECTION 1. Hereafter in selecting jurors in the county of Houghton the board provided by law shall select such jurors from the various poll lists of each voting precinct in said county instead of from the poll list of each township and ward as now provided. Selecting jurors.

SEC. 2. All acts or parts of acts contravening the provisions of this act are hereby repealed in so far as they apply to Houghton county. Repealing clause.

This act is ordered to take immediate effect.

Approved March 12, 1907.

Jackson county, and to provide a penalty for its violation," is hereby amended to read as follows:

Unlawful to fish except with hook and line.

Proviso, as to spearing.

SEC. 1. It shall be unlawful to catch any fish within the waters of Jackson county by means of spear, grab-hook, set lines or other devices, except by hook and line when held in the hand: *Provided, however,* That the spearing through the ice of pickerel, mullet, suckers and redhorse in the waters of said county during the months of January and February, and the spearing of suckers and redhorse during the months of March, April and May in the creeks, rivers and streams of said county shall be lawful.

This act is ordered to take immediate effect.

Approved March 6, 1907.

[No. 15.]

AN ACT to amend section one of act number forty-nine of the public acts of nineteen hundred five, entitled "An act to prohibit the catching of fish within a radius of one mile from the mouth of the outlet of Muskegon lake, White lake, Duck lake and Lake Harbor in the county of Muskegon with nets of any description and to prohibit the catching of fish with nets of any description in any of the inland lakes in said county of Muskegon and to repeal all acts and parts of acts inconsistent with the provisions of this act."

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section one of act forty-nine of the public acts of nineteen hundred five, entitled "An act to prohibit the catching of fish within a radius of one mile from the mouth of the outlet of Muskegon lake, White lake, Duck lake and Lake Harbor in the county of Muskegon with nets of any description and to prohibit the catching of fish with nets of any description in any of the inland lakes in the said county of Muskegon and to repeal all acts and parts of acts inconsistent with the provisions of this act," is hereby amended to read as follows:

Unlawful to fish with nets, etc., in certain waters.

SEC. 1. No person or persons shall fish with, use or set any seines, gill nets or any form of pound, trap, sweep or set nets, or any like device for taking fish in any of the waters of Lake Michigan within a radius of one mile from the mouth of the outlet of Muskegon lake, White lake, Duck lake and Lake Harbor in the county of Muskegon and no person or persons shall fish with any net of any description

in any of the inland lakes, rivers and streams or inland waters of the county of Muskegon, State of Michigan.

This act is ordered to take immediate effect.

Approved March 6, 1907.

[No. 16.]

AN ACT to amend section twenty-four of act number two of the public acts of nineteen hundred five, entitled "An act to amend act number eighty-two of the public acts of eighteen hundred seventy-three, entitled 'An act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter ninety-seven of the Compiled Laws of eighteen hundred seventy-one, and also act number ninety-four of the session laws of eighteen hundred seventy-one, approved April twelve, eighteen hundred seventy-one,' approved April fifteen, eighteen hundred seventy-three, and the acts amendatory thereof, by adding one new section thereto to stand as section twenty-four, providing for the reorganization and extension of mutual fire insurance companies, whose charters have expired by limitation," approved February four, nineteen hundred five.

The People of the State of Michigan enact:

SECTION 1. Section twenty-four of act number two of the public acts of nineteen hundred five, entitled "An act to amend act number eighty-two of the public acts of eighteen hundred seventy-three, entitled 'An act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter ninety-seven of the Compiled Laws of eighteen hundred seventy-one, and also act number ninety-four of the session laws of eighteen hundred seventy-one, approved April twelve, eighteen hundred seventy-one,' approved April fifteen, eighteen hundred seventy-three, and the acts amendatory thereof, by adding one new section thereto to stand as section twenty-four, providing for the reorganization and extension of mutual fire insurance companies, whose charters have expired by limitation," approved February four, nineteen hundred five, is hereby amended to read as follows: Section amended.

SEC. 24. Any mutual fire insurance company of this State whose charter has expired by limitation, may, within the period of eighteen months after the date of the expiration of such charter, or within four months after being notified by the Commissioner of Insurance of the expiration of the charter of the said company, by a vote of two-thirds of the mem- Company may reorganize.

Notice of special meeting.

Proviso.

Further proviso.

Members may withdraw.

Further proviso, date of charter.

bers present at any special meeting called by the president and secretary of said company for the purpose, determine to reorganize and extend its corporate existence for a period of not exceeding thirty years from the date of the expiration of its said charter. The notice of such special meeting shall be mailed to each member of said company at least fifteen days before the date fixed for such meeting, and thereupon the corporate existence of said mutual fire insurance company shall be extended as so determined, and such determination shall be deemed a reorganization of such company, and it shall succeed to all the rights and be subject to all the liabilities of the corporation so reorganized, and it shall not be necessary to change the policies or books or mode of the doing of the business of said company, and all the acts and doings of the officials of said company and the business and proceedings thereof done in the interim, between the date of the expiration of such charter and such determination, the character of which would have been legal and valid if done before such expiration, is hereby legalized and deemed legal and valid, and the officers of said company at the time of such determination may continue to hold office until the next regular annual meeting of said company thereafter, as fixed by charter or by-laws of said company: *Provided*, That a statement of proceedings to reorganize such company by the making of such determination, duly certified by the president and secretary of said company, at said meeting so determining, shall be presented to the Attorney General for his approval and be approved by him, and such certified proceedings and approval be filed in the office of the Commissioner of Insurance of this State, and also in the office of the county clerk of the county in which the principal office of the company is located, within sixty days after such approval: And *Provided further*, That a written or printed notice of such determination shall be mailed to each member of said company within ninety days after such approval by the Attorney General as aforesaid, and that it shall be the right of any member of said company who shall give notice to the secretary thereof within thirty days after the mailing of such notice, to withdraw from said company at that time, he remaining liable for his equitable and proportionate share of the losses incurred to that date, and entitled to his equitable and proportionate share of any surplus fund, which after the payment of all debts and liabilities of said company to that date, may remain in the treasury of said company: And *Provided further*, That from and after the date of the approval of this act all companies organized and doing business under and by virtue of this chapter shall print upon all policies thereafter issued by said companies, the date to which said company is chartered to do business.

This act is ordered to take immediate effect.

Approved March 7, 1907.

[No. 17.]

AN ACT to amend section sixteen of act number one hundred eighty-three of the session laws of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May twenty-nine, eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section sixteen of act one hundred eighty-three of the session laws of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May twenty-nine, eighteen hundred ninety-seven, is amended to read as follows: Section amended.

SEC. 16. In the third circuit, the stenographer of each division of said court shall be paid an annual salary of twenty-five hundred dollars. Salary of stenographer.

This act is ordered to take immediate effect.

Approved March 9, 1907.

[No. 18.]

AN ACT to provide for the selection of jurors in Houghton county, and to repeal certain acts in conflict therewith.

The People of the State of Michigan enact:

SECTION 1. Hereafter in selecting jurors in the county of Houghton the board provided by law shall select such jurors from the various poll lists of each voting precinct in said county instead of from the poll list of each township and ward as now provided. Selecting jurors.

SEC. 2. All acts or parts of acts contravening the provisions of this act are hereby repealed in so far as they apply to Houghton county. Repealing clause.

This act is ordered to take immediate effect.

Approved March 12, 1907.

[No. 19.]

AN ACT making an appropriation for the State Prison at Jackson for the fiscal year ending June thirty, nineteen hundred eight, for the purpose of rebuilding the building known as shop number twenty, recently destroyed by fire.

The People of the State of Michigan enact:

Appropriation. SECTION 1. There is hereby appropriated for the State Prison at Jackson for the fiscal year ending June thirty, nineteen hundred eight, the sum of sixty thousand dollars for the purpose of rebuilding shop number twenty, recently destroyed by fire: *Provided*, That the board of control of the State Prison may obtain money under this section before July first, nineteen hundred seven, in such amounts as they may by requisition certify to the Auditor General are necessary for immediate use, which amounts, thus advanced, shall be deducted from the total amount when the appropriation becomes available.

Money, how expended. SEC. 2. The amount of money hereby appropriated shall be expended for a new building of fireproof construction, including excavation, concrete, steel reinforcement and all that is necessary for the full and complete construction of such building in a fireproof manner; for electric lighting, a complete heating system, elevators and plumbing.

How paid. SEC. 3. The sum appropriated by the provisions of this act shall be paid out of the State treasury to the warden of the State Prison at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

This act is ordered to take immediate effect.

Approved March 14, 1907.

[No. 20.]

AN ACT to regulate the taking and catching of fish in the brook, known as Coldbrook, emptying into Crystal lake at Beulah, Benzie county, Michigan, or any of its tributaries in the county of Benzie.

The People of the State of Michigan enact:

Open season for trout.

SECTION 1. It shall not be lawful for any person or persons to take or catch any brook trout or rainbow trout or any other kind of trout in Coldbrook creek or any of its tributaries in Benzie county, State of Michigan, except from the

first day of June to the first day of September, both inclusive.

SEC. 2. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not exceeding one hundred dollars or a term not exceeding ninety days in the county jail of Benzie county, or both such fine and imprisonment in the discretion of the court. Penalty.

This act is ordered to take immediate effect.

Approved March 14, 1907.

[No. 21.]

AN ACT for the protection of fish in the waters of Portage lake, in Crawford county, and to regulate the time and manner of taking and catching fish therefrom, and providing a penalty for the violation of the provisions thereof.

The People of the State of Michigan enact:

SECTION 1. It shall not be lawful to take, catch or kill any fish by any means whatsoever from the waters known as Portage lake, located in township twenty-six, north of range four west, in Crawford county: *Provided, however,* It shall not be unlawful to take and catch fish from the waters of said lake from the first day of May until the first day of November in each year, by means of a hook and line controlled directly by the person fishing. Unlawful to fish.
Proviso, open season for hook and line.

SEC. 2. Any person violating the provisions of this act shall be deemed guilty of misdemeanor, and upon conviction thereof, shall be fined not to exceed twenty-five dollars and costs of prosecution, or by imprisonment in the county jail not to exceed thirty days, or both such fine and imprisonment, in the discretion of the court. Penalty.

SEC. 3. In all prosecutions under this act, it shall be prima facie evidence, on the part of the people, of the violation of the provisions of this act, to show that the defendant was found upon the waters of said lake, with any other device, or devices, than herein mentioned, for the catching and taking fish from the said waters. Prima facie evidence of violation.

This act is ordered to take immediate effect.

Approved March 14, 1907.

[No. 22.]

AN ACT defining the power and authority of the board of commissioners of Mackinac Island State Park, to authorize and empower it to make, publish and enforce rules and regulations for the care, order and preservation thereof, and to repeal all acts or parts of acts inconsistent with or contravening the provisions of this act.

The People of the State of Michigan enact:

Rules and regulations governing State Park.

SECTION 1. The board of commissioners of the Mackinac Island State Park shall have authority to make, publish and enforce such reasonable rules and regulations for the care and preservation of the Mackinac Island State Park, for the maintenance of good order, for the protection of property and for the welfare of said park, as shall from time to time be deemed necessary or expedient by said board.

Enforcement.

SEC. 2. Whenever said board shall make any rules or regulations pertaining to the management or welfare of said park, it shall have authority to enforce same and to cause offenders and persons violating any rules and regulations prescribed to be punished therefor in the manner set forth and indicated in act number eighty of the public acts of nineteen hundred five.

Territory where effective.

SEC. 3. All rules and regulations made by said board under authority of this or any other act shall be effective within the whole territory covered by said park, and said board shall have the power and authority to prescribe and enforce rules and regulations relative to any part or portion thereof, notwithstanding any contrary or inconsistent ordinance, regulation or by-law of the city of Mackinac Island.

Repealing clause.

SEC. 4. All acts or parts of acts inconsistent with or contravening the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved March 14, 1907.

[No. 23.]

AN ACT to amend section forty-three of act number one hundred eighty-three of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," being section four hundred five of the Compiled Laws of eighteen hundred ninety-seven,

The People of the State of Michigan enact:

SECTION 1. Section forty-three of act number one hundred eighty-three of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan, being section four hundred five of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

SEC. 43. In the thirtieth circuit, the stenographer shall be paid an annual salary of two thousand dollars. Salary of stenographer.

This act is ordered to take immediate effect.

Approved March 19, 1907.

[No. 24.]

AN ACT to amend section one of act number one hundred forty-three of the public acts of nineteen hundred five, entitled "An act for the protection of fish in the Kalamazoo river and its tributaries in the townships of Marshall and Marengo in the county of Calhoun.

The People of the State of Michigan enact:

SECTION 1. Section one of act number one hundred forty-three of the public acts of nineteen hundred five, entitled "An act for the protection of fish in the Kalamazoo river and its tributaries in the townships of Marshall and Marengo in the county of Calhoun," is hereby amended to read as follows: Section amended.

SEC. 1. It shall not be lawful for any person to spear or attempt to spear any fish in the waters of the Kalamazoo river or its tributaries, in the townships of Marshall and Marengo in the county of Calhoun, except by daylight without artificial light. When unlawful to spear.

This act is ordered to take immediate effect.

Approved March 19, 1907.

[No. 25.]

AN ACT to amend section one of act number one hundred fifty-six of the session laws of eighteen hundred fifty-one, as amended by act number twenty-six of the public acts of nineteen hundred one, entitled "An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers," being section two thousand four hundred seventy-five of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section one of act number one hundred fifty-six of the session laws of eighteen hundred fifty-one, as amended by act number twenty-six of the public acts of nineteen hundred one, entitled "An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers," being section two thousand four hundred seventy-five of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended so as to read as follows:

Boards of su-
pervisors,
meetings of.

Annual meet-
ings.

Proviso.

Proviso, as to
Lenawee Co.

Proviso, as to
Wayne Co.

SEC. 1. The supervisors of the several townships and cities in each of the counties in this State shall meet annually in their respective counties for the transaction of business as a board of supervisors. They may also hold special meetings, when necessary, at such times and places as they find convenient, and shall have power to adjourn from time to time as they may deem necessary. The annual meetings of the boards of supervisors shall be held on the second Monday of October in each year at the court house in their respective counties, if there be one, and, if there be none, then at some place at the county seat, if there be one, and, if no county seat be established, then at such place in the county as the clerk of such county may appoint, of which such clerk shall give three weeks' public notice by publishing the same in some one or more newspapers, printed and circulated in said county, if there be any such, and, if none, then in some one or more newspapers nearest thereto, having a general circulation in said county: *Provided*, That but one legal newspaper rate for printing the same shall be allowed: *Provided, further*, That a regular meeting of the board of supervisors in and for the county of Lenawee shall be held on the second Tuesday in April in each year at the court house in said county: And, *Provided, further*, That in the county of Wayne the said annual meeting of the said board of supervisors shall be held on the first week day in the month of October at the court house in said county.

This act is ordered to take immediate effect.

Approved March 20, 1907.

[No. 26.]

AN ACT to provide for the incorporation of Methodist
Protestant churches.*The People of the State of Michigan enact:*

SECTION 1. It shall be lawful for any number of persons of full age, not less than five, residing within the bounds of the charge in which the proposed church is to be located, to organize and procure the incorporation of a Methodist Protestant church. What number may organize.

SEC. 2. The persons desiring to organize such church, shall execute and acknowledge before any person authorized to take acknowledgments of deeds, articles of association, in writing, whereby they shall agree to organize a church which shall be governed by the discipline, rules and usages of the Methodist Protestant church. Articles, how executed.

SEC. 3. Said articles of association shall contain the following items: What to contain.

First, The name of said church;

Second, The township, village or city and the county in which it shall be located;

Third, An agreement to worship and labor together according to the discipline, rules and usages of the Methodist Protestant church. Said articles may be in the following form: We, the undersigned, desiring to become incorporated under the provisions of act number of the public acts of, entitled "An act to provide for the incorporation of Methodist Protestant churches," do hereby make, execute and adopt the following articles of association, to-wit:

First, The name assumed by this corporation, and by which it shall be known in law, is "The Methodist Protestant church;"

Second, The location of said church shall be in the of, county of and State of Michigan;

Third, The members of said church shall worship and labor together, according to the discipline, rules and usages of the Methodist Protestant church, as from time to time authorized and declared by the general conference of said church, and the annual conference within whose bounds said corporation is situated;

Fourth, The trustees of this corporation shall be in number. At the first election of trustees of said church under these articles trustees shall be elected for a term of one year, trustees shall be elected for a term of two years, and trustees shall be elected for a term of three years, and trustees shall be elected at each annual election thereafter;

Fifth, The annual meeting of this society shall be held on of in each year, for the purpose of electing trustees, and transacting such other business as may properly come before it.

In witness whereof, we, the parties associating for the purpose of giving legal effect to these articles, hereunto sign our names and places of residence.

Done at the of county of and State of Michigan, this day of A. D.

(Signatures.) (Residences.)

State of Michigan, } ss.
County of }

On this day of, A. D., before me, a in and for said county, personally appeared, known to me to be the persons named in and who executed the foregoing instrument, and severally acknowledged that they executed the same freely and for the intents and purposes therein mentioned.

Where re-
corded; fee.

Body politic.

Subject to
church gov-
ernment, etc.

Secular affairs.

.....
.....
SEC. 4. Said articles of association shall be recorded in the office of the county clerk of the county wherein such church, or their place of worship, is located, such record to be made in a book provided by said clerk for that purpose; and such clerk shall be entitled to ten cents for each folio for recording the same. When said articles of association shall have been recorded, the said persons so signing said articles of association, and their associates and fellow members of said church, and all who may thereafter become members of said church, according to the rules, usages and discipline of the Methodist Protestant church, shall thereby become and thenceforth be a body politic, or corporation, by the name expressed in the said articles of association, with all the powers, rights and privileges appertaining to religious corporations by the laws of this State.

SEC. 5. Said church, when so organized, shall be in all matters of church government and ecclesiastical polity subject to the discipline, rules and usages, and ministerial appointments of the Methodist Protestant church, as from time to time authorized by the general conference of said church, and the annual conference within whose bounds said corporation may be situated.

SEC. 6. The secular affairs of said church shall be managed by a board of trustees, consisting of not less than three, nor more than nine members of the association, elected and organized according to the provisions of the discipline of the Methodist Protestant church, who shall hold office until their successors have been elected and enter upon the duties of the office,

SEC. 7. Said corporation may have a seal and alter the same at pleasure. It may, in its corporate name, sue and be sued in all courts of this State. It shall have power to acquire, hold, sell or convey property, both real and personal, in accordance with this act, and it may hold and recover all debts, demands, rights, privileges and all property, whether real or personal, of whatsoever sort it may be, belonging or appertaining to said church in whatsoever manner the same may have been acquired, and in whosoever hands the same may be held, the same as if the right and title had originally been vested in said corporation. The board of trustees may authorize certain officers of said board to affix the name and seal of said corporation, and to execute and attest conveyances, notes, obligations, acquittances and all necessary legal documents. It may sell, mortgage or otherwise dispose of its personal property, and it may, under restrictions hereinafter provided, sell, mortgage or otherwise dispose of or encumber its real estate, but not for current expenses. It may hold so much land as may be needed for the proper purposes of the church and its parsonage. It may also hold for a period not to exceed ten years, real estate, which may be conveyed or devised to it, or to said trustees, to be sold and the proceeds to be used in any way for the benefit of said church, as directed in the conveyance or will. Said corporation shall at all times permit all ministers belonging to the Methodist Protestant church, as shall from time to time be duly authorized by the annual conference, within whose bounds the said corporation may be, to preach and expound God's Holy Word therein, and shall permit presidents and pastors, duly appointed, to execute the discipline of the Methodist Protestant church and to administer the sacraments therein.

Rights and privileges.

Officers to affix seal.

May sell property, etc.

Land, may hold for church purposes.

SEC. 8. The trustees shall have power, according to the terms and limitations of the discipline of the Methodist Protestant church, as from time to time authorized and declared by the general conference of said church, to purchase, build, repair, lease, sell, rent, mortgage, encumber or otherwise dispose of property: *Provided*, That in case of selling, mortgaging or otherwise encumbering or disposing of real estate, the consent of the president of the annual conference, within whose bounds the said corporation may be, shall be obtained: And *Provided further*, That in case the said president shall refuse, or withhold his consent to the selling, mortgaging, encumbering or disposing of real estate, appeal may be had to the said conference at its next session, and said appeal shall be final.

Power to purchase, lease, etc.

Proviso, consent of president of conference.

Further proviso, appeal.

SEC. 9. In all cases where property belonging to any church society incorporated under the provisions of this act has been abandoned, or is no longer used for the purpose for which said property was acquired or for the benefit of said church society, and has not been conveyed by said society under the provisions of this act, or said corporation has dis-

When title to pass to annual conference.

License to
sell.

Corporation,
when may be
dissolved.

Process, how
served.

Amendments
to articles.

Society hereto-
fore incor-
porated.

Former acts,
how con-
strued.

Officers,
prima facie
evidence of
appointment.

solved or become extinct, the title to said property belonging to said corporation shall pass to the annual conference within whose bounds said property is located. And said annual conference may, by such officer or committee as said conference may designate for that purpose, apply to the circuit court for the county in which said property may be, for license to sell the same. And such license may be granted by said court, after such notice of said application, as the court may direct, and thereupon said property may be sold and the proceeds of such sale disposed of as provided in the book of discipline of the Methodist Protestant church; and said court, upon the hearing of said application, may dissolve said corporation when it shall appear by proof that said society has ceased to support a pastor, or perform the usual functions of a church, for a period of two years.

SEC. 10. In all suits or legal proceedings brought against corporations organized under the provisions of this act, process may be served upon the chairman or any member of the board of trustees.

SEC. 11. It shall be lawful for any church society incorporated under the provisions of this act, at a meeting called for that purpose, of which four weeks' notice shall have been given by announcement at a regular service, by a vote of two-thirds of all the qualified members present and voting, to amend its articles of association in any way not inconsistent with the provisions of this act, or the book of discipline of the Methodist Protestant church; and such amendment shall become operative when said amended articles are executed and acknowledged in the same manner as stated in sections two and three of this act and the same has been recorded, or left for record as provided in section four of this act.

SEC. 12. Any Methodist Protestant church society heretofore incorporated, or the trustees of which have heretofore exercised the powers of a body corporate, may, by a two-thirds vote of its qualified members, place itself under the provisions of this act, the same as if originally incorporated under it, by two-thirds of the qualified members executing articles of association as hereinbefore provided and recording the same as also hereinbefore provided.

SEC. 13. In all proceedings or suits that may arise or be brought in any of the courts of this State, touching or in any way concerning churches that may be incorporated under this act, or by a vote of the qualified members have placed themselves under its provisions, all other acts or parts of acts inconsistent herewith shall be interpreted and construed in such manner as to give full force and effect to all the provisions of this act, and to all the rights and privileges granted by this act to churches incorporated or placed thereunder.

SEC. 14. It is further provided that the execution by the trustees of said corporation, of any deed, mortgage, note, bond or other obligation, or contract of said corporation in

proper form shall be prima facie evidence of the proper appointment of said trustees; said proceedings having been authorized by the society and president as hereinbefore provided.

This act is ordered to take immediate effect.

Approved March 20, 1907.

[No. 27.]

An act to repeal act number one hundred seventy-nine of the public acts of eighteen hundred eighty-three, entitled "An act to regulate the width of wagon tires to be used with lumber wagons," being compiler's sections four thousand two hundred twenty-six and four thousand two hundred twenty-seven of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Act number one hundred seventy-nine of the public acts of eighteen hundred eighty-three, being compiler's sections four thousand two hundred twenty-six and four thousand two hundred twenty-seven of the Compiled Laws of eighteen hundred ninety-seven, is hereby repealed. Act repealed.

This act is ordered to take immediate effect.

Approved March 26, 1907.

[No. 28.]

AN ACT to prohibit the killing of deer for a period of five years in the county of Arenac.

The People of the State of Michigan enact:

SECTION 1. For a period of five years from and after the passage of this act, it shall be unlawful to kill any deer in the county of Arenac. Protection of deer.

SEC. 2. Any person who shall be found guilty of violating the provisions of section one of this act shall be liable to a fine of not less than fifty dollars nor more than one hundred dollars for each deer which he may have killed, or, in default of the payment of such fine, imprisonment in the county jail, Penalty for violation.

or Detroit House of Correction for a period of not more than six months, in the discretion of the court.
This act is ordered to take immediate effect.
Approved March 26, 1907.

[No. 29.]

AN ACT to amend section two of act twenty-five of the public acts of eighteen hundred eighty-seven, entitled "An act to provide for three additional circuit judges for the third judicial circuit," approved March ninth, eighteen hundred eighty-seven, said section being compiler's section two hundred seventy-two of the Compiled Laws of eighteen hundred ninety-seven, as last amended by act number one hundred nine of the public acts of eighteen hundred ninety-nine, approved June ninth, eighteen hundred ninety-nine.

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section two of act number twenty-five of the public acts of eighteen hundred eighty-seven, entitled "An act to provide for three additional circuit judges for the third judicial circuit," approved March ninth, eighteen hundred eighty-seven, said section being compiler's section number two hundred seventy-two of the Compiled Laws of eighteen hundred ninety-seven, as last amended by act number one hundred nine of the public acts of eighteen hundred ninety-nine, approved June ninth, eighteen hundred ninety-nine, be and the same is hereby amended so as to read as follows:

Co-ordinate power of each judge.

SEC. 2. Whenever any cause, matter or proceeding, or any motion, application or other business shall be assigned to one of said judges, a journal entry thereof shall be made by the clerk of the court and the said judge shall proceed to hear, try and dispose of the business so assigned to him with the same force and effect as if he were the only judge of said circuit and subject to and with the power and authority conferred by all the rules of practice and of the law applicable to circuit courts having only one judge, and thereupon said judge may proceed with the trial or hearing or other business, so assigned to him, in the principal court room or in a separate room attended by the clerk, or one of his deputies, by a stenographer and by jurymen not engaged in the trial of other causes, if it be a cause to be tried by a jury, and such judge while so sitting for the transaction of business shall have all the powers of any circuit judge sitting in any circuit court in this State, and the proceedings shall be regarded as proceedings of the circuit court had in open court and at a session of said circuit court. If a sufficient

Proceedings, how regarded.

Jurors.

number of jurors shall not be in attendance upon the court and not engaged in the trial of other causes, said judge may direct talesmen to be summoned as required by law. The said judges may make rules from time to time in relation to the making up of the trial docket and as to the disposition of the business of the court, not inconsistent with any general laws of this State. The Governor of the State may upon the recommendation of said judges appoint a clerk who may be removed in like manner and his successor appointed. The business of said clerk shall be to render such assistance as said judges may require in arranging the business of said courts. He shall receive a salary of two thousand five hundred dollars per annum, to be paid in monthly installments by the county of Wayne. Clerk, appointment of.
Salary.

This act is ordered to take immediate effect.

Approved March 27, 1907.

[No. 30.]

AN ACT to amend section twenty of chapter two hundred ninety-two of the Compiled Laws of eighteen hundred ninety-seven, entitled "Proceedings against debtors by attachment," being compiler's section ten thousand five hundred seventy-four.

The People of the State of Michigan enact:

SECTION 1. Section twenty of chapter two hundred ninety-two of the Compiled Laws of eighteen hundred ninety-seven, entitled "Proceedings against debtors by attachment," being compiler's section ten thousand five hundred seventy-four of the Compiled Laws, is hereby amended to read as follows: Section amended.

SEC. 20. The plaintiff shall file his declaration in said attachment in the same manner and within the same time and serve the same as is provided by the rules and practice governing proceedings in circuit court in other cases in assumpsit. If a copy of the attachment shall not have been served upon any of the defendants and none of them shall appear in the suit, the plaintiff, on filing an affidavit of publication of the notice hereinbefore required for six successive weeks, or on filing due proof of personal service of such notice on any defendant not less than fifteen days prior to the filing of such proof, may proceed in such suit as if a copy of such attachment had been personally served upon the defendants. Manner of filing declaration.
Right of plaintiff upon filing affidavit of publication.

Approved March 27, 1907.

[No. 31.]

AN ACT to amend sections six and seven of act number one hundred fifty-six of the public acts of eighteen hundred seventy-three, entitled "An act to provide for the incorporation of State, county or municipal historical, biographical and geographical societies," approved April twenty-five, eighteen hundred seventy-three, being sections eight thousand one hundred ninety-five and eight thousand one hundred ninety-six of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Sections six and seven of act number one hundred fifty-six of the public acts of eighteen hundred seventy-three, entitled "An act to provide for the incorporation of State, county or municipal historical, biographical and geographical societies," approved April twenty-five, eighteen hundred seventy-three, being sections eight thousand one hundred ninety-five and eight thousand one hundred ninety-six of the Compiled Laws of eighteen hundred ninety-seven are hereby amended to read as follows:

Secretary to
be custodian
of documents.

SEC. 6. The secretary of any State association organized under this act shall be the custodian of all collections of documents, publications, periodicals, newspapers, books, maps, pictures, specimens and curiosities which may be made by such association, and shall prepare and have custody of and distribute the printed reports of the association.

Minor associa-
tions to trans-
mit copy of
transactions.

Dissolution of
associations.

SEC. 7. District, county, town, city or village associations shall, within thirty days after their transactions are published, transmit a copy of said published transactions to the secretary of the State association. Whenever such association shall be dissolved, or for any cause cease to exist as a corporation, all collections which may be made by said State society shall be placed in the State Library in charge of the State Librarian and shall be regarded as State property.

Approved April 3, 1907.

[No. 32.]

AN ACT to repeal act number one hundred fourteen of the public acts of nineteen hundred three, entitled "An act to provide for the protection of rabbits in Washtenaw, Oakland, Charlevoix, St. Clair and Lake counties."

The People of the State of Michigan enact:

Act repealed.

SECTION 1. Act number one hundred fourteen of the public acts of nineteen hundred three, entitled "An act to pro-

vide for the protection of rabbits in Washtenaw, Oakland, Charlevoix, St. Clair and Lake counties," approved May fourteen, nineteen hundred three, is hereby repealed.

This act is ordered to take immediate effect.

Approved April 3, 1907.

[No. 33.]

AN ACT to amend act number one hundred twenty-eight of the public acts of eighteen hundred ninety-nine, entitled "An act to authorize the consolidation of street railway, electric light and gas light companies, or any two thereof," as amended by act number fifty of the public acts of nineteen hundred three.

The People of the State of Michigan enact:

SECTION 1. Section two of act number one hundred twenty-eight of the public acts of eighteen hundred ninety-nine, entitled "An act to authorize the consolidation of street railway, electric light and gas light companies, or any two thereof," as amended by act number fifty of the public acts of nineteen hundred three, is hereby amended to read as follows: Section amended.

SEC. 2. Upon making the agreement mentioned in the preceding section, in the manner required therein, and filing a duplicate thereof in the office of the Secretary of State, the said three corporations or any two thereof, mentioned or referred to in this section, shall be merged into the new corporation provided for in such agreement, to be known by the corporate name therein mentioned, and the details of such agreement shall be carried into effect as provided therein. And all and singular the rights and franchises of each and all of said three corporations, or any two thereof, so consolidating, parties to such agreement, and all and singular their rights and interest in and to every species of property and things in action, shall be deemed to be transferred to and vested in such new corporation, without any other deed or transfer, and such new corporation shall hold and enjoy the same, together with all other rights of property, in the same manner and to the same intent, as if the said three corporations, or any two thereof so consolidating, parties to such agreement, should have continued to retain the title and transact the business of such corporation; and the titles and the real estate acquired by any of the said three corporations, or any two thereof so consolidating, shall not be deemed to revert or be impaired When new corporation formed.
Rights, etc., transferred.

Proviso, liens, by means of anything in this act contained: *Provided*, That
etc. all rights of creditors and all other liens upon the property
of any of said corporation parties to the said agreement
shall be and hereby are preserved unimpaired, and the
respective corporations shall continue to exist so far as may
be necessary to enforce the same: And *Provided further*,
Proviso, debts, That all the debts, liabilities and duties of any or all of said
etc. companies shall thenceforth attach to such new corporation,
and be enforced against the same, to the same extent and
in the same manner as if such debts, liabilities and duties
Proviso, where had been originally incurred by it: And *Provided further*,
to apply. That the provisions of this act shall apply only to the
counties of Marquette, Muskegon, Newaygo, Allegan, Jack-
son, Kalamazoo and Calhoun; and to street railway, electric
light and gas companies in the county of Manistee, whether
organized under the acts herein specified or under act num-
ber two hundred thirty-two of the public acts of nineteen
hundred three.

This act is ordered to take immediate effect.

Approved April 3, 1907.

[No. 34.]

AN ACT to amend sections eighty-one and eighty-two of act two hundred six of the public acts of eighteen hundred ninety-three, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one and all other acts and parts of acts in anywise contravening any of the provisions of this act," being sections three thousand nine hundred four and three thousand nine hundred five of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Sections eighty-one and eighty-two of act two hundred six of the public acts of eighteen hundred ninety-three, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and con-

tinuing such lien; providing for the sale and conveyance of land delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one, and all other acts or parts of acts in anywise contravening any of the provisions of this act," being sections three thousand nine hundred four and three thousand nine hundred five of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

SEC. 81. The county treasurer shall, on payment of the purchase money of such sale, issue a certificate of sale to the purchaser in such form as the Auditor General shall prescribe and furnish, number the same and enter the name of the person or persons to whom the same was issued, with the number, date and amount thereof, in a book kept in his office for the purpose. Certificate of sale, when, by whom, etc., issued.

SEC. 82. The Auditor General or his deputy, on presentation and surrender of such certificate, shall issue to the purchaser, his heirs or assigns a deed of conveyance, except when it shall appear that the land has been redeemed or the taxes paid prior to date of sale thereof: *Provided*, That such deed shall have the same force and effect as is given by section seventy-two of this act. Deed, issuance of. Proviso.

This act is ordered to take immediate effect.

Approved April 3, 1907.

[No. 35.]

AN ACT to provide for the establishment of county schools of agriculture, manual training and domestic economy.

The People of the State of Michigan enact:

SECTION 1. The board of supervisors of any county is hereby authorized to appropriate money for the organization, equipment and maintenance of a county school of agriculture and domestic economy. The board of supervisors of two or more counties may unite in establishing such a school, and may appropriate money for its organization, equipment and maintenance: *Provided*, That whenever the board of supervisors of the county shall by a two-thirds vote of all members elect, resolve to contract indebtedness or issue bonds to raise money for the organization, equipment and maintenance of such school, the question shall be submitted to the vote of the electors of the county at a general or special election to be called for that purpose. Notice of the submission of such resolution to the vote of the Duty of board of supervisors. Proviso, election. Notice, how given.

Canvass of returns.	electors and in case a special election is called, notice of the calling of such special election shall be given in the same manner and for the same length of time as is now prescribed by law for general elections. If a majority of the electors of each county, voting on such resolution, shall vote in favor thereof, it shall be deemed to have carried. The returns of the election herein provided for shall be canvassed and the results declared in the same manner and by the same officers as is provided by general law for canvassing the returns of and declaring the results in city, county and district elections. The manner of stating the question upon the ballots shall be prescribed by the resolution of the board of supervisors.
County school board created, powers.	<p>SEC. 2. A board to be known as the county school board is hereby created, which shall have charge and control of all matters pertaining to the organization, equipment and maintenance of such schools, except as otherwise provided by law. Said board shall consist of five members, one of whom shall be the county commissioner of schools of the county or district in which the school is located. The other members of the board shall be elected by the board of supervisors, one for one year, one for two years, one for three years and one for four years, and thereafter one member of the board shall be elected annually for the full term of four years from the date of the expiration of the term about to become vacant, but no member of the board of supervisors shall be eligible. Vacancies existing in the board from whatever cause, except in the case of the county commissioner, shall be filled by appointment made by the chairman of the board of supervisors, if the board of supervisors is not in session when such vacancy occurs. If the board of supervisors is in session, vacancies shall be filled by election by said board for the unexpired term. Appointments made by the chairman of the board of supervisors, as hereinbefore specified, shall be for the period of time until the next regular meeting of the board of supervisors. Each person appointed or created a member of the county school board shall, within ten days after the notice of such appointment, take and subscribe an oath, to support the constitution of the United States and the constitution of Michigan, and honestly, faithfully and impartially to discharge his duties as a member of said board, to the best of his ability, which oath shall be filed in the office of the county clerk. He shall also, within the same time, file a bond in such sum as may be fixed by the board of supervisors, which bond shall be filed in the office of the county clerk. Within fifteen days, after the appointment of said board, the members thereof shall meet and organize by electing one of their number as president. The county commissioner of schools shall be ex-officio secretary of the said board. The board hereafter created shall prescribe the duties of the several officers except as fixed by law.</p>
Of whom composed.	
Vacancies, how filled.	
Oath, where filed.	
Bond.	
Organization of board.	

SEC. 3. Whenever two or more counties unite in establishing such a school, the provisions of section two of this act shall apply to the organization of the county school board, and to filling vacancies therein: *Provided*, That the county commissioner of the county in which the school is located shall be a member of the board and ex-officio its secretary; and two members shall also be elected from each county by the board of supervisors thereof, one for one year and one for two years, and thereafter one member of the board shall be elected annually in each county for the full term of two years, but no member of the county board of supervisors shall be eligible.

Proceedings when two or more counties unite in establishing. Proviso.

SEC. 4. Whenever two or more counties shall unite in establishing and maintaining a school under the provisions of this act, the county school board herein provided shall, on or before the first day of October in each year, determine the amount of money necessary for the equipment and maintenance of said school for the ensuing year, which said amount they shall apportion among the counties in proportion to the assessed valuation of each county as last fixed by the State Board of Equalization and shall report their estimate and apportionment to the county clerk of each county, who shall lay said report before the board of supervisors at its annual meeting. The amount so apportioned to each county shall be levied by the board of supervisors of such county, as a portion of the county tax for the ensuing year, for the support of the said school.

County school board to apportion expenses.

Tax levy.

SEC. 5. The county treasurer of the county in which said school is located shall be ex-officio treasurer of said board; all moneys appropriated and expended under the provisions of this act shall be expended by the county school board and shall be paid by the said county treasurer on orders issued by said board or in counties having a board of county auditors, by such auditors, and all moneys received by said board shall be paid to the said county treasurer for the fund of the county school board.

Treasurer of board, duties.

SEC. 6. In the county schools of agriculture and domestic economy organized under the provisions of this act, instruction shall be given in the elements of agriculture including instruction concerning the soil, the plant life, and the animal life of the farm; a system of farm accounts shall also be taught; instructions shall also be given in manual training and domestic economy and such other related subjects as may be prescribed.

Instruction to be given.

SEC. 7. Each such school shall have connected with it a tract of land suitable for purposes of experiment and demonstration, of not less than ten acres in area.

School to have land.

SEC. 8. The schools organized under the provisions of this act shall be free to the inhabitants of the county or counties contributing to their support, who shall be qualified to pursue the course of study as prescribed by the school

School to be free.

"Special
classes."

board. Whenever students of advanced age desire admission to the school during the winter months in sufficient number to warrant the organization of special classes for their instruction, such classes shall be organized and continued for such time as their attendance may make necessary.

Superintendent of public
instruction,
duty of.

President
Agricultural
College.

Proviso as to
superintendent
of school.

SEC. 9. The State Superintendent of Public Instruction shall give such information and assistance and establish such requirements as may seem necessary for the proper organization and maintenance of such schools, and, with the advice of the president of the Michigan State Agricultural College, determine the qualifications required of teachers employed in such schools: *Provided*, That no person shall be eligible to a position as superintendent of any school established under this act, who is not a graduate of a state college of agriculture. The State Superintendent of Public Instruction shall have the general supervision of all schools established under this act; shall from time to time inspect the same, make such recommendations relating to their management as he may deem necessary, and make such report thereon to said schools as shall give full information concerning their number, character and efficiency.

This act is ordered to take immediate effect.

Approved April 3, 1907.

[No. 36.]

AN ACT to provide for the lawful taking of suckers from the waters of Crooked lake, in the townships of Barry and Prairieville, Barry county, Michigan.

The People of the State of Michigan enact:

Suckers, open
season for.

Proviso.

SECTION 1. It shall be lawful to take suckers from the waters of Crooked lake in the townships of Barry and Prairieville, Barry county, Michigan, by means of spears or net, or in any other manner not destructive to other kinds of fish from the tenth day of April to the twentieth day of May of each year: *Provided*, That the taking of such suckers from said waters shall be done in such a manner as not to destroy other kinds of food fish protected under the laws of this State from being taken with nets or in any other way prohibited by law.

This act is ordered to take immediate effect.

Approved April 3, 1907.

[No. 37.]

AN ACT to amend section three of chapter eleven, "General duties of commissioners and overseers," being section number four thousand one hundred sixty-nine of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section three of chapter eleven, "General duties of commissioners and overseers," being section number four thousand one hundred sixty-nine of the Compiled Laws of eighteen hundred ninety-seven, is amended to read as follows: Section' amended.

SEC. 3. In all cases involving an expenditure of an amount over fifty dollars and not exceeding five hundred dollars, in the repairing or construction of roads or bridges, in any township of this State, the commissioner shall submit the proposed expenditure to the township board, and, upon the approval of the said board, the commissioner may make such repairs or cause them to be made; may do the construction work or cause it to be done; may buy the necessary materials and hire the necessary help, but if the proposed expenditure is of an amount greater than five hundred dollars, the commissioner shall first submit the same to the township board, and upon approval of the said board the commissioner shall advertise for sealed proposals for the doing of such work and the making of such repairs, and together with the township clerk, subject to approval of the township board, shall contract with the lowest bidder giving good and sufficient security for the performance of the work: *Provided*, That in case it shall appear to the commissioner and board acting together, in such manner that it seems to them clearly shown, that there has been collusion among the bidders, they may contract privately with any one of the bidders or with some one who was not a bidder, but at a price not to exceed that of the lowest bidder. The contract so made shall be approved in writing by the supervisor in order to be valid as against the township. Not less than ten days' notice shall be given by the commissioner of the time and place of letting such contract by putting up notices in at least five of the most public places in his township. Upon performance of the work by the contractor, if approved and accepted by the commissioner and supervisor, there shall be drawn and signed by such commissioner, and countersigned by the township clerk, orders upon the township treasurer for the amount of said contract. It shall be unlawful for any township officer to be in any way interested directly or indirectly in any such contract. Any contract in which any such township officer is so interested shall be absolutely void. When commissioner may construct work, hire labor, etc.

When to advertise for sealed proposals.

When may make private contract.

Notice of letting contract.

Payment to contractor.

Officers not to be interested in contracts.

Approved April 3, 1907,

Canvass of
returns.

electors and in case a special election is called, notice of the calling of such special election shall be given in the same manner and for the same length of time as is now prescribed by law for general elections. If a majority of the electors of each county, voting on such resolution, shall vote in favor thereof, it shall be deemed to have carried. The returns of the election herein provided for shall be canvassed and the results declared in the same manner and by the same officers as is provided by general law for canvassing the returns of and declaring the results in city, county and district elections. The manner of stating the question upon the ballots shall be prescribed by the resolution of the board of supervisors.

County school
board created,
powers.

Of whom
composed.

Vacancies,
how filled.

Oath, where
filed.

Bond.

Organization
of board.

SEC. 2. A board to be known as the county school board is hereby created, which shall have charge and control of all matters pertaining to the organization, equipment and maintenance of such schools, except as otherwise provided by law. Said board shall consist of five members, one of whom shall be the county commissioner of schools of the county or district in which the school is located. The other members of the board shall be elected by the board of supervisors, one for one year, one for two years, one for three years and one for four years, and thereafter one member of the board shall be elected annually for the full term of four years from the date of the expiration of the term about to become vacant, but no member of the board of supervisors shall be eligible. Vacancies existing in the board from whatever cause, except in the case of the county commissioner, shall be filled by appointment made by the chairman of the board of supervisors, if the board of supervisors is not in session when such vacancy occurs. If the board of supervisors is in session, vacancies shall be filled by election by said board for the unexpired term. Appointments made by the chairman of the board of supervisors, as hereinbefore specified, shall be for the period of time until the next regular meeting of the board of supervisors. Each person appointed or created a member of the county school board shall, within ten days after the notice of such appointment, take and subscribe an oath, to support the constitution of the United States and the constitution of Michigan, and honestly, faithfully and impartially to discharge his duties as a member of said board, to the best of his ability, which oath shall be filed in the office of the county clerk. He shall also, within the same time, file a bond in such sum as may be fixed by the board of supervisors, which bond shall be filed in the office of the county clerk. Within fifteen days, after the appointment of said board, the members thereof shall meet and organize by electing one of their number as president. The county commissioner of schools shall be ex-officio secretary of the said board. The board hereafter created shall prescribe the duties of the several officers except as fixed by law.

SEC. 3. Whenever two or more counties unite in establishing such a school, the provisions of section two of this act shall apply to the organization of the county school board, and to filling vacancies therein: *Provided*, That the county commissioner of the county in which the school is located shall be a member of the board and ex-officio its secretary; and two members shall also be elected from each county by the board of supervisors thereof, one for one year and one for two years, and thereafter one member of the board shall be elected annually in each county for the full term of two years, but no member of the county board of supervisors shall be eligible.

Proceedings when two or more counties unite in establishing. Proviso.

SEC. 4. Whenever two or more counties shall unite in establishing and maintaining a school under the provisions of this act, the county school board herein provided shall, on or before the first day of October in each year, determine the amount of money necessary for the equipment and maintenance of said school for the ensuing year, which said amount they shall apportion among the counties in proportion to the assessed valuation of each county as last fixed by the State Board of Equalization and shall report their estimate and apportionment to the county clerk of each county, who shall lay said report before the board of supervisors at its annual meeting. The amount so apportioned to each county shall be levied by the board of supervisors of such county, as a portion of the county tax for the ensuing year, for the support of the said school.

County school board to apportion expenses.

Tax levy.

SEC. 5. The county treasurer of the county in which said school is located shall be ex-officio treasurer of said board; all moneys appropriated and expended under the provisions of this act shall be expended by the county school board and shall be paid by the said county treasurer on orders issued by said board or in counties having a board of county auditors, by such auditors, and all moneys received by said board shall be paid to the said county treasurer for the fund of the county school board.

Treasurer of board, duties.

SEC. 6. In the county schools of agriculture and domestic economy organized under the provisions of this act, instruction shall be given in the elements of agriculture including instruction concerning the soil, the plant life, and the animal life of the farm; a system of farm accounts shall also be taught; instructions shall also be given in manual training and domestic economy and such other related subjects as may be prescribed.

Instruction to be given.

SEC. 7. Each such school shall have connected with it a tract of land suitable for purposes of experiment and demonstration, of not less than ten acres in area.

School to have land.

SEC. 8. The schools organized under the provisions of this act shall be free to the inhabitants of the county or counties contributing to their support, who shall be qualified to pursue the course of study as prescribed by the school

School to be free.

"Special
classes."

board. Whenever students of advanced age desire admission to the school during the winter months in sufficient number to warrant the organization of special classes for their instruction, such classes shall be organized and continued for such time as their attendance may make necessary.

Superintendent
of public
instruction,
duty of.

President
Agricultural
College.

Proviso as to
superintendent
of school.

SEC. 9. The State Superintendent of Public Instruction shall give such information and assistance and establish such requirements as may seem necessary for the proper organization and maintenance of such schools, and, with the advice of the president of the Michigan State Agricultural College, determine the qualifications required of teachers employed in such schools: *Provided*, That no person shall be eligible to a position as superintendent of any school established under this act, who is not a graduate of a state college of agriculture. The State Superintendent of Public Instruction shall have the general supervision of all schools established under this act; shall from time to time inspect the same, make such recommendations relating to their management as he may deem necessary, and make such report thereon to said schools as shall give full information concerning their number, character and efficiency.

This act is ordered to take immediate effect.

Approved April 3, 1907.

[No. 36.]

AN ACT to provide for the lawful taking of suckers from the waters of Crooked lake, in the townships of Barry and Prairieville, Barry county, Michigan.

The People of the State of Michigan enact:

Suckers, open
season for.

Proviso.

SECTION 1. It shall be lawful to take suckers from the waters of Crooked lake in the townships of Barry and Prairieville, Barry county, Michigan, by means of spears or net, or in any other manner not destructive to other kinds of fish from the tenth day of April to the twentieth day of May of each year: *Provided*, That the taking of such suckers from said waters shall be done in such a manner as not to destroy other kinds of food fish protected under the laws of this State from being taken with nets or in any other way prohibited by law.

This act is ordered to take immediate effect.

Approved April 3, 1907.

[No. 37.]

AN ACT to amend section three of chapter eleven, "General duties of commissioners and overseers," being section number four thousand one hundred sixty-nine of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section three of chapter eleven, "General duties of commissioners and overseers," being section number four thousand one hundred sixty-nine of the Compiled Laws of eighteen hundred ninety-seven, is amended to read as follows: Section amended.

SEC. 3. In all cases involving an expenditure of an amount over fifty dollars and not exceeding five hundred dollars, in the repairing or construction of roads or bridges, in any township of this State, the commissioner shall submit the proposed expenditure to the township board, and, upon the approval of the said board, the commissioner may make such repairs or cause them to be made; may do the construction work or cause it to be done; may buy the necessary materials and hire the necessary help, but if the proposed expenditure is of an amount greater than five hundred dollars, the commissioner shall first submit the same to the township board, and upon approval of the said board the commissioner shall advertise for sealed proposals for the doing of such work and the making of such repairs, and together with the township clerk, subject to approval of the township board, shall contract with the lowest bidder giving good and sufficient security for the performance of the work: *Provided*, That in case it shall appear to the commissioner and board acting together, in such manner that it seems to them clearly shown, that there has been collusion among the bidders, they may contract privately with any one of the bidders or with some one who was not a bidder, but at a price not to exceed that of the lowest bidder. The contract so made shall be approved in writing by the supervisor in order to be valid as against the township. Not less than ten days' notice shall be given by the commissioner of the time and place of letting such contract by putting up notices in at least five of the most public places in his township. Upon performance of the work by the contractor, if approved and accepted by the commissioner and supervisor, there shall be drawn and signed by such commissioner, and countersigned by the township clerk, orders upon the township treasurer for the amount of said contract. It shall be unlawful for any township officer to be in any way interested directly or indirectly in any such contract. Any contract in which any such township officer is so interested shall be absolutely void. When commissioner may construct work, hire labor, etc.

When to advertise for sealed proposals.

When may make private contract.

Notice of letting contract.

Payment to contractor.

Officers not to be interested in contracts.

Approved April 3, 1907,

[No. 38.]

AN ACT to prohibit the catching of fish in Saline river of this State, except with a hook and line, and providing a penalty for the violation thereof.

The People of the State of Michigan enact:

Unlawful to
fish except
with hook and
line.

Proviso as to
suckers.

Penalty.

SECTION 1. It shall not be lawful for any person to take, catch or kill any fish in Saline river in this State, with a spear, net, grab hook or by the use of jacks or artificial lights or any kind of fire arms or explosive material, set lines or other device, except the hook and line: *Provided*, It shall not be unlawful to take or catch suckers in said river at any time and in any manner, except with explosives.

SEC. 2. Any person violating the provisions of this act shall, upon conviction, be punished by a fine of not exceeding twenty-five dollars and cost of prosecution or thirty days in the common jail of the county, or both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved April 4, 1907.

[No. 39.]

AN ACT to amend section two of chapter XVIII of the revised statutes of eighteen hundred forty-six, entitled "Of fences and fence viewers; of pounds and the empounding of cattle," being section two thousand four hundred sixteen of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section two of chapter XVIII of the revised statutes of eighteen hundred forty-six, entitled "Of fences and fence viewers; of pounds and the empounding of cattle," being section two thousand four hundred sixteen of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Occupants to
maintain
fences in equal
shares.

Proviso, as to
private ways
and enclosed
lands.

(2416) SEC. 2. The respective occupants of lands enclosed with fences shall keep up and maintain partition fences between their own and the next adjoining enclosure, in equal shares, so long as both parties continue to improve the same: *Provided*, That the occupants of private ways and the occupants of the next adjoining enclosed lands shall keep up and maintain partition fences between such ways and such next adjoining lands, in equal shares, so long as such ways are used and such lands are improved.

Approved April 4, 1907.

[No. 40.]

AN ACT making appropriations for the purchase of books and other material for the Michigan State Library, and books and equipments for the Michigan traveling libraries for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the purchase of books and for such other purposes as are necessary to the welfare of the State Library during the fiscal year ending June thirty, nineteen hundred eight, the sum of six thousand five hundred dollars, and during the fiscal year ending June thirty, nineteen hundred nine, the sum of six thousand five hundred dollars. Appropriation for State Library.

SEC. 2. There is hereby appropriated for the purchase of books and equipment for the Michigan traveling libraries for the fiscal year ending June thirty, nineteen hundred eight, the sum of six thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of six thousand dollars. Michigan traveling libraries.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the general fund of the State treasury to the State Librarian at such times and in such amounts as the general accounting laws of the State shall prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder. How paid.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of twelve thousand five hundred dollars, and for the year nineteen hundred eight the sum of twelve thousand five hundred dollars, which, when collected, shall be credited to the general fund to reimburse the same for the moneys hereby appropriated. To be incorporated in State tax.

This act is ordered to take immediate effect.

Approved April 11, 1907.

[No. 41.]

AN ACT making an appropriation for the State Board of Library Commissioners for the special purposes of defraying the expenses of organization of existing and new libraries, and for the expense of library institutes and training schools, and for the general expenses of the board for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same, and to repeal sections four and five of act number one hundred fifteen of the public acts of eighteen hundred ninety-nine, from and after July one, nineteen hundred seven.

The People of the State of Michigan enact:

Appropriation. SECTION 1. There is hereby appropriated for each of the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, the sum of four thousand eight hundred dollars to be expended by the State Board of Library Commissioners, as follows: For secretary and clerical assistance, not exceeding one thousand dollars a year; for defraying expenses of organizing libraries and of conducting library institutes and training schools within the State of Michigan. Instructors suitable for this work shall be selected by the board and all the expenses incurred thereby, together with the expenses of said board, whether within or outside the State, including traveling expenses of its members, supplies and incidentals necessary for the work, shall be paid out of the appropriation. No member of the State Board of Library Commissioners shall receive any compensation for his services, except that the board may appoint one of their number to act as secretary, and such secretary may receive such sum as shall be agreed upon by the board.

How paid. SEC. 2. The amounts appropriated by this act shall be paid out of the general fund in the State treasury to the secretary of the State Board of Library Commissioners at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder.

To be incorporated in State tax. SEC. 3. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, for the State Board of Library Commissioners, the sum of four thousand eight hundred dollars, and for the year nineteen hundred eight the sum of four thousand eight hundred dollars for the said board, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

Sections repealed. SEC. 4. Sections four and five of act number one hundred fifteen of the public acts of eighteen hundred ninety-nine are hereby repealed from and after July one, nineteen hun-

dred seven, but all rights which exist or may accrue under said sections shall continue to exist until said first day of July, nineteen hundred seven.

This act is ordered to take immediate effect.

Approved April 11, 1907.

[No. 42.]

AN ACT to amend section ten of act number one hundred sixty-four of the public acts of eighteen hundred seventy-seven, approved May twenty-one, eighteen hundred seventy-seven, entitled "An act to authorize cities, incorporated villages and townships to establish and maintain free public libraries and reading rooms," the same being compiler's section three thousand four hundred fifty-eight of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section ten of act number one hundred sixty-four of the public acts of eighteen hundred seventy-seven, approved May twenty-one, eighteen hundred seventy-seven, entitled "An act to authorize cities, incorporated villages and townships to establish and maintain free public libraries and reading rooms," is hereby amended to read as follows: Section amended.

SEC. 10. When fifty voters of any incorporated village or township shall present a petition to the clerk of the village or township, asking that a tax may be levied for the establishment of a free public library in such village or township, and shall specify in their petition the rate of taxation, not to exceed one mill on the dollar, such clerk shall, in the next legal notice of the regular annual election in such village or township, give notice that at such election every voter may vote for a mill tax for a free public library, or against a mill tax for a free public library, specifying in such notice the rate of taxation mentioned in such petition; and if the majority of all the votes cast in such village or township shall be for the tax for a free public library, the tax specified in such notice shall be levied and collected in like manner with other general taxes of said village or township, and shall be known as the library fund, and when such free public library shall have been established and a board of directors elected and qualified, as hereinafter provided, it shall be the duty of such board of directors on or before the first Monday of September in each year, where it has been voted to establish a free public library by a township, and on or before the second Monday in April, where it has been voted to establish a free public library by an incorporated Petition for library, duty of clerk.

Library fund.

Board to make estimates, limit.

Powers.

village, to prepare an estimate of the amount of money necessary for the support and maintenance of such library for the ensuing year, not exceeding one mill on the dollar of the taxable property of the village or township, and report such estimate to the assessor of such village or the supervisors of such township for assessment and collection, the same as other village or township taxes, and the same shall be so assessed and collected; and the corporate authorities of any such villages or townships may exercise the same powers conferred upon the corporate authorities of cities under this act.

This act is ordered to take immediate effect.

Approved April 11, 1907.

[No. 43.]

AN ACT to amend section six of act number forty-eight of the public acts of nineteen hundred one, entitled "An act to provide for a tax upon dogs and to create a fund for the payment of certain damages for sheep killed or wounded by them in certain cases."

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section six of act number forty-eight of the public acts of nineteen hundred one, entitled "An act to provide for a tax upon dogs and to create a fund for the payment of certain damages for sheep killed or wounded by them in certain cases," is hereby amended to read as follows:

Damage certificates, examination of.

SEC. 6. At the annual meeting of the township board in each year, and at a meeting of the common council of each city, in April of each year, the said board or council, as the case may be, shall examine all certificates of damage filed by the clerk, as aforesaid, during the preceding year, and if satisfied that in any case or cases the certified damages are excessive, they may reduce the same to such amount as they may deem just, and may order the payment of all such loss as they may consider just out of the fund aforesaid, if it be sufficient for that purpose, and if not sufficient, they may order a proportionate payment of each claim. If money remains of such fund after satisfactory payment of all claims aforesaid in any one year, over and above the sum of one hundred dollars, it shall be apportioned among the several school districts of such township or city in proportion to the number of children therein of school age, unless the township board or the city council shall determine to retain an amount of such money so remaining not to exceed three hundred dollars, in which case only the amount over and

Payment of.

Surplus, how apportioned.

above the sum so determined shall be so apportioned: *Pro-* Proviso as to payment.
vided, That no payment of loss shall be made as provided for in this section, unless the party applying for the same shall make it appear to the satisfaction of the township board or common council that he has made all due efforts and has not been able to obtain satisfaction therefor from the owner or owners of the dog or dogs which shall have done the damage, or shall make it appear that he is unable to ascertain who are the owners or who is the owner of said dog or dogs.

This act is ordered to take immediate effect.

Approved April 11, 1907.

[No. 44.]

AN ACT to make it a misdemeanor to take possession of and to drive away any automobile or other motor vehicle in certain cases and to provide a penalty therefor.

The People of the State of Michigan enact:

SECTION 1. Every person who shall wilfully, or wilfully and wantonly and without authority, take possession of, and drive or take away any automobile or other motor vehicle belonging to another and lawfully standing in any street, alley, garage, stable or other place shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court. Unlawful to drive away motor vehicle. Penalty.

This act is ordered to take immediate effect.

Approved April 11, 1907.

[No. 45.]

AN ACT to provide for a deficiency occurring in the appropriation for the construction by the board of managers of the Michigan Soldiers' Home of a sewer to connect the Michigan Soldiers' Home, of the county of Kent, and the premises adjacent to said sewer with the public sewers of the city of Grand Rapids.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated from the general fund the sum of seven hundred twenty-three and thirty- Appropriation for deficiency for sewer.

eight one-hundredths dollars for the purpose of meeting a deficit in the appropriation made for the construction by the board of managers of the Michigan Soldiers' Home of a sewer to connect the Michigan Soldiers' Home, in the county of Kent, and the premises adjacent to said sewer with the public sewers of the city of Grand Rapids, the same having been caused by an erroneous estimate having been made in the appropriation to provide for the construction of said sewer, in act number two hundred thirty-three, public acts of nineteen hundred five.

How paid, etc. SEC. 2. The amount appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the Michigan Soldiers' Home at such times and in such amounts as the general accounting laws of the State provide, and the disbursing officer shall render his accounts to the Auditor General thereunder.

This act is ordered to take immediate effect.

Approved April 17, 1907.

[No. 46.]

AN ACT in relation to acquiring title to real estate by adverse possession.

The People of the State of Michigan enact:

Title to real estate.

SECTION 1. Hereafter no rights as against the public shall be acquired by any person, persons, firm, association, copartnership, joint stock company or corporation by reason of the occupation or use of any public highway, street or alley, or of any public grounds, or any part or portion thereof, in any township, village or city in this State, whether such occupation or use be adverse or otherwise.

Repealing clause.

SEC. 2. All acts or parts of acts in anywise inconsistent with or contravening any of the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved April 17, 1907.

[No. 47.]

AN ACT to amend sections one, two and five of act number two hundred thirty-one of the public acts of nineteen hundred three, entitled "An act authorizing organized townships in the State of Michigan to borrow money and to issue bonds therefor, for the purpose of providing for the better construction and care of highways in such townships," and the title of the same.

The People of the State of Michigan enact:

SECTION 1. Sections one, two and five of act number two hundred thirty-one of the public acts of nineteen hundred three, entitled "An act authorizing organized townships in the State of Michigan to borrow money and to issue bonds therefor, for the purpose of providing for the better construction and care of highways in such townships," and the title of the same, are hereby amended to read as follows:

SECTION 1. The township board of any organized township in the State of Michigan is hereby authorized and empowered, upon an application being first filed with such township board, signed by at least twenty-five freeholders of such township, to borrow a sum of money, not exceeding five per cent. of the assessed valuation of such township, on the faith and credit of such township, and to issue the bonds of such township therefor, the money so borrowed to be used for the purpose of graveling, macadamizing, building stone roads, building or repairing bridges, or in any other way in the discretion of the township board providing for the better construction, improvement and care of the highways in such township: *Provided*, That sixty per cent. of the legal voters of such township, voting upon said proposition at a township meeting, a general election or a special election called by the township board for that purpose, shall vote in favor thereof.

SEC. 2. The commissioner of highways shall have charge and supervision, under the direction of the township board, of such graveling, macadamizing, building of stone roads, building or repairing of bridges, or any other improvements of the highways of such township, as may be authorized under the provisions of this act, and all moneys paid out therefor shall be paid on the order of the commissioner of highways, countersigned by the township clerk. Said commissioner of highways shall render to the township board at the annual meeting thereof in each year an account in writing, showing the extent of the improvements that have been made on the highways of the township, the roads that have been constructed, or partially constructed, the number and cost of bridges built or repaired, and the amount of money that has been expended for the respective

Sections amended.

Townships authorized to bond for roads and bridges.

Proviso, per cent necessary to carry.

Commissioner of highways to have charge of improving highways.

To render account to township board.

When road
commissioner
to have super-
vision.

Payment of
moneys.

When bonds
may issue.

Signing and
negotiation of
bonds, etc.

purposes: *Provided*, That where any township has adopted the township road system, as provided by act number one hundred forty-nine of the public acts of eighteen hundred ninety-three, entitled "An act to provide for a county and township system of roads and to prescribe the powers and duties of the officers having the charge thereof," and acts amendatory thereof, the road commissioners of such township shall have charge and supervision, as provided in said act number one hundred forty-nine of the public acts of eighteen hundred ninety-three, as aforesaid, and amendatory acts; and all moneys paid out for the improvement of highways and bridges shall be paid out on the order of said township road commissioners, countersigned by the township clerk.

SEC. 5. If at such election sixty per cent. of such qualified electors present thereat and voting upon said proposition shall vote in favor of such loan, said bonds shall be issued by the township board in denominations not exceeding one thousand dollars each, at a rate of interest not exceeding five per cent. per annum and for a period not exceeding twenty-five years, as the township board shall by resolution direct. Said bonds shall be signed by the township board, countersigned by the township treasurer and negotiated by and under the direction of said board, and the moneys arising therefrom shall be used for the purpose or purposes which have been set forth in the notices of election and the ballots cast at such election, and for no other purpose.

TITLE.

An act authorizing organized townships in the State of Michigan to borrow money and to issue bonds therefor, for the purpose of providing for the better construction and care of highways and bridges in such townships.

Approved April 17, 1907.

[No. 48.]

AN ACT to provide for the compulsory education of deaf children.

The People of the State of Michigan enact:

When children
to be sent to a
school for the
deaf.

SECTION 1. Every parent, guardian or other person in the State of Michigan having control or charge of any child or children between the ages of seven and eighteen years, and who by reason of deafness or imperfect hearing can-

not be taught successfully in the public schools, shall be required to send such child or children to a day school for the deaf, the Michigan School for the Deaf, located at Flint, or to such other school for the deaf as the said parent, guardian, or other person in parental control, prefers: *Provided*, Proviso. That should the parent, guardian or other person in parental control of said child or children fail to meet the foregoing provision, then such child or children shall be sent to the Michigan School for the Deaf, located at Flint.

SEC. 2. In cases where such parent, guardian or other person, on account of their poverty, are unable to furnish such child or children with transportation to and from such school, the board of trustees of the Michigan School for the Deaf shall furnish such transportation each year, and the said board of trustees may include therewith transportation for such parent, guardian or other person to said school and return, where the child is under twelve years of age, and for that purpose may issue a certificate directed to the Auditor General that said amount is necessary for the benefit of such individuals, who shall draw his warrant upon the State Treasurer therefor; and any such sums are hereby appropriated and shall be paid out of any moneys in the general fund, not otherwise appropriated, and the Auditor General shall charge all such moneys, so drawn, to the county of which such parent, guardian or other person is a resident, or to which he or she belongs, to be collected and returned to the general fund the same as any State taxes are required to be by law. Transportation given poor children. Sums, how paid and where charged.

SEC. 3. Act number two hundred of the public acts of nineteen hundred five, entitled "An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same," shall apply in the execution of this act, and the officers mentioned in said act shall be required to report all cases of deaf children residing in their jurisdiction to the superintendent of the Michigan School for the Deaf, and they shall enforce this act in the same manner as the said act number two hundred of nineteen hundred five is enforced. The same penalties prescribed for violation of said act are hereby prescribed for violation of this act. Certain act to apply. Penalties.

Approved April 17, 1907.

[No. 49.]

AN ACT to amend sections two and three of chapter seventy-two of the revised statutes of eighteen hundred forty-six, entitled "Of the payment of debts and legacies of deceased persons," being sections nine thousand three hundred sixty-eight and nine thousand three hundred sixty-nine of the Compiled Laws of eighteen hundred ninety-seven, as amended by act one hundred twenty-nine, public acts of nineteen hundred three.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Sections two and three of chapter seventy-two of the revised statutes of eighteen hundred forty-six, entitled "Of the payment of debts and legacies of deceased persons," the same being sections nine thousand three hundred sixty-eight and nine thousand three hundred sixty-nine of the Compiled Laws of eighteen hundred ninety-seven, as amended by act number one hundred twenty-nine of public acts of nineteen hundred three, are hereby amended to read as follows:

Meetings to
examine
claims.

Publication of
notice.

SEC. 2. When such commissioners shall be appointed it shall be their duty to appoint convenient times and places when and where they will meet for the purpose of examining and allowing the claims; and within thirty days after their appointment they shall give notice of the times and places of their meeting, and of the time limited for creditors to present their claims, by publishing a notice thereof at least three weeks successively in some newspaper printed in the same county if there is a newspaper published therein, and otherwise in some newspaper in an adjoining county or in any other manner in which the court may direct.

Newspaper,
who to design-
ate.

SEC. 3. The judge of probate in the commission issued to the commissioners shall designate the paper in which such notice shall be published and any other mode of notifying which he may deem necessary and proper.

This act is ordered to take immediate effect.

Approved April 17, 1907.

[No. 50.]

AN ACT to prohibit the taking and catching of fish by the use of a spear or spears, or by the use of nets or fire arms in the waters of Big lake and Rice lake in the county of Osceola, and in the stream connecting said lakes.

The People of the State of Michigan enact:

SECTION 1. It shall not be lawful for any person or persons to take, catch or kill or attempt to take, catch or kill any fish in the waters of the lake known as Big lake, in the township of Orient in the county of Osceola, or in the lake known as Rice lake in the township of Evert in said county, or in the stream connecting said lakes, with any spear or spears, or with nets or fire arms. Spears, etc., unlawful to use.

SEC. 2. In any prosecution under this act it shall be prima facie evidence on the part of the people, of the violation of the provisions of this act, to show that the defendant was found upon the waters of said lakes or stream with a spear or spears, or with nets or fire arms. Evidence of violation.

SEC. 3. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed twenty-five dollars and costs of prosecution, or imprisonment in the county jail not to exceed thirty days, or by both such fine and imprisonment in the discretion of the court. Penalty.

This act is ordered to take immediate effect.

Approved April 17, 1907.

[No. 51.]

AN ACT to amend section eight of act number two hundred thirty-two of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws providing for the incorporation of manufacturing and mercantile companies or any union of the two, and for the incorporation of companies for carrying on any other lawful business, except such as are precluded from organization under this act by its express provisions, and to prescribe the powers and fix the duties and liabilities of such corporations."

The People of the State of Michigan enact:

SECTION 1. Section eight of act number two hundred thirty-two of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws providing Section amended.

for the incorporation of manufacturing and mercantile companies or any union of the two, and for the incorporation of companies for carrying on any other lawful business, except such as are precluded from organization under this act by its express provisions, and to prescribe the powers and fix the duties and liabilities of such corporations," is amended to read as follows:

Where may
conduct
business.

SEC. 8. It shall be lawful for any corporation organized or existing under the provisions of this act to conduct its business in whole or in part at any place or places within the United States or any foreign country.

This act is ordered to take immediate effect.

Approved April 17, 1907.

[No. 52.]

AN ACT to provide for the protection of rainbow or California trout in the St. Mary's river.

The People of the State of Michigan enact:

Closed season
for rainbow
trout.

SECTION 1. It shall be unlawful for any person or persons to catch or take, in any manner whatever, from any of the waters of the St. Mary's river any rainbow or California trout from the first day of September in each year until the first day of June following thereafter.

Penalty for
violation.

SEC. 2. Any person who shall be found guilty of a violation of any of the provisions contained in the foregoing act shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than five dollars and not more than one hundred dollars, and the costs of prosecution, and, in default of payment thereof, shall be confined in the county jail until such fine and costs shall be paid, but such confinement shall not exceed thirty days.

This act is ordered to take immediate effect.

Approved April 17, 1907.

[No. 53.]

AN ACT supplementary to act number two hundred fifty-four of the public acts of nineteen hundred five, entitled "An act to establish a State Sanatorium in some suitable locality in Michigan, for the care and treatment of persons having tuberculosis, and making appropriations therefor, and to provide a tax to meet the same," transferring a portion of a certain fund provided for by said act.

The People of the State of Michigan enact:

SECTION 1. The sum of six thousand dollars of the sum of ten thousand dollars, appropriated by section twenty-two of act number two hundred fifty-four of public acts of nineteen hundred five, entitled "An act to establish a State Sanatorium in some suitable locality in Michigan, for the care and treatment of persons having tuberculosis, and making appropriations therefor, and to provide a tax to meet the same," for the expenses of the board of trustees and the maintenance of the sanatorium for the fiscal year ending June thirty, nineteen hundred seven, is hereby transferred, added to, and made available for the purposes of, the fund of twenty thousand dollars provided for by section twenty-one of said act for buildings and furnishing, and when so transferred the said sum of six thousand dollars may be expended under the provisions of said section twenty-one, the same as if such sum of six thousand dollars had been originally included in the appropriation made by said section twenty-one. Supplemental appropriation.
How expended.

This act is ordered to take immediate effect.

Approved April 17, 1907.

[No. 54.]

AN ACT to amend section nine of act number one hundred ninety-eight of the laws of eighteen hundred seventy-three, entitled "An act to revise the laws providing for the incorporation of the railroad bridge and tunnel companies and to regulate the running and management, and to fix the duties and liabilities of all railroad, bridge, tunnel and other corporation owning or operating any railroad, bridge or tunnel within this State," said title and said section nine having been last amended by act number two hundred sixty-six of the public acts of eighteen hundred ninety-nine, and said section being compiler's section six thousand two hundred thirty-four of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section nine of act number one hundred ninety-eight of the laws of eighteen hundred seventy-three, entitled "An act to revise the laws providing for the incorporation of the railroad bridge and tunnel companies and to regulate the running and management and to fix the duties and liabilities of all railroad, bridge, tunnel and other corporation owning or operating any railroad, bridge or tunnel within this State," said title and said section nine having been amended last by act number two hundred sixty-six of the public acts of eighteen hundred ninety-nine, and said section being compiler's section six thousand two hundred thirty-four of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Powers and
liabilities.

SEC. 9. Every such corporation shall possess the general powers and be subject to the liabilities and restrictions following; that is to say:

To make sur-
veys.

First, To cause such examinations and surveys of the proposed railroad or railroad bridge or tunnel to be made as may be necessary to the selection of the most advantageous route for the road, and for such purposes by its officers, agents and servants to enter upon lands or waters of any person or company, but subject to liability for all damages which they shall do thereto: *Provided*, That it shall not be lawful for any such corporation by its officers, agents or servants to enter upon the land or water of any person or company to make any such examination or survey until such corporation shall have made, executed and delivered to the judge of probate of the county where such land or water lies, a bond to be approved by him, with two sufficient sureties running to the judge of probate of said county in his official name for the use of any person interested, in the penal sum of five thousand dollars, conditioned upon the payment by such corporation of all damages sustained by any person or company on occasion of any such examination or survey. Upon the delivery of such bond to such judge of probate and its approval by him, he shall file the same in his office, and when so filed, it shall be deemed a public record, and may be proved in court by a certified copy thereof. Any person or company having a claim for damages arising under this section, may bring suit upon said bond in any court of said county having jurisdiction over the amount claimed in damages;

Bond for
damages.

To receive and
hold property.

Second, To receive, hold and take such voluntary grants and donations of real estate and other property as shall be made to it to aid in the construction, maintenance and accommodation of such road or railroad bridge or tunnel, but the real estate thus received by voluntary grant shall be held and used for the purpose of such grant only;

Third, To purchase, and by voluntary grants and donations receive, take and by its officers, engineers, surveyors and agents, enter upon and take possession of, hold and use all such lands and real estate, franchises and other property, as may be necessary for the construction, maintenance and accommodation of its railroad or railroad bridge or railroad tunnels, stations, depots and other accommodations; but the same shall not be appropriated until the compensation to be made therefor is agreed upon by the parties, or ascertained as herein prescribed, to be paid to the owners, or deposited as hereinbefore directed, unless the consent of such owner be given therefor;

To purchase land for construction of road.

Fourth, To lay out its road, not exceeding one hundred feet in width, and to lay out its bridge or tunnel and its bridge or tunnel approaches not exceeding two hundred feet in width, and to construct the same, and for the purpose of cuttings and embankments, and for procuring stone, gravel or other material or for the purpose of draining its road bed or tunnel, to take in the manner herein provided such further lands adjacent to and in the vicinity of its road or tunnel, as may be necessary for the proper construction, operating and security of its road or tunnel;

Construction of road.

Fifth, To construct its road or bridge over, upon or across, or its railroad tunnel under any stream of water, water-course, private road, street, lane, alley or highway, and across or under any plank road, railroad or canal, which the route of its road or railroad bridge or railroad tunnel shall lie along, or intersect; but the corporation shall restore the stream, water-course, private road, street, alley, lane, highway, plank road, railroad or canal to its former state as near as may be, but shall not materially obstruct the navigation of any stream, nor obstruct any public highway or street by cars or trains for more than five minutes at any one time, and the Commissioner of Railroads shall have authority to cause the removal of switches that are so located with reference to public highways, or streets that by reason of the constant switching or shunting of cars the use of the public highway or street is materially obstructed, impeded or delayed; and such corporation shall construct suitable road and street crossings for the passage of teams by fitting down planks between and on each side of the rails of such road, the top of which shall be at least one-half inch higher than the top of the rails of such road; and in case of the construction of such railway upon any public street, lane, alley or highway, the same shall be on such terms and conditions as shall be agreed upon between the railroad company and the common council of any city, or the village board of any village, or the commissioners of highway of any township in which the same may be; but such railway shall not be constructed upon any public street, lane, alley, highway or private way until damages and compensation be made by the railroad company therefor

To construct bridge across or tunnel under streams.

Not to obstruct traffic more than five minutes.

Street crossings.

Construction upon streets.

Compensation to adjacent owners.

to the owner or owners of property adjoining such street, lane, alley, highway, or private way, and opposite where such railroad is to be constructed either by agreement between the railroad company and each owner or owners, or ascertain as herein prescribed for obtaining property or franchises for the purpose of its incorporation to be paid to the owner thereof, or deposited as hereinafter directed;

To unite with other railroads.

Sixth, To cross, join and unite its railroads bridge or tunnel with any other railroad now or hereafter constructed under any law whatever at any point on its route, and upon the grounds of such other railroad now or hereafter constructed with the necessary turnouts, sidings and switches, and other accommodations and conveniences, in furtherance of the objects of its connections; and to make all such business arrangements as said companies may agree upon. And every company whose railroad shall be intersected by any other railroad shall unite with the owners of such other railroads in forming such intersections and connections and grant facilities for the same as hereinafter provided;

Intersections.

Transportation of persons and property.

Proviso, as to charges.

Seventh, To take, transport, carry and convey persons and property on their said road or bridge or through such tunnel by the force and power of steam, animals, or any mechanical power, or by any combination of them, and to receive tolls and compensation therefor: *Provided*, That in transporting freight by the car, loaded by the shipper and unloaded by the consignee, no railroad company shall charge for transporting each of such cars more than eight dollars for any distance not exceeding ten miles, nor more than fifty cents per mile for the second ten miles, nor more than twenty-five cents per mile for the third ten miles; and for distances exceeding thirty miles, in no case shall the charge between any two points on the said railroad exceed the minimum charge on the entire line. This provision shall not apply to the Upper Peninsula, nor to any company operating less than fifteen miles of railroad;

To erect depots, etc.

Eighth, To erect and maintain all necessary and convenient buildings, stations, depots and fixtures, and machinery for the accommodation and use of their passengers, freight and business, and to obtain and hold all the lands necessary therefor;

To regulate time, manner and toll for transportation.

Ninth, To regulate the time and manner in which passengers and property shall be transported, and the tolls and compensation to be paid therefor; but such compensation for transporting any passenger and his or her ordinary baggage, not exceeding in weight one hundred and fifty pounds, shall not exceed the following prices, viz.:

Passenger fares.

For a distance not exceeding five miles in the lower peninsula, three cents per mile, and for a distance not exceeding ten miles in the Upper Peninsula, four cents per mile; for all other distances for all companies the gross earnings of whose passenger trains, as reported to the Commissioner of Railroads for the year nineteen hundred six, equalled or

exceeded the sum of one thousand two hundred dollars per mile for each mile of road operated by said company, two cents per mile, and for all companies whose earnings reported as aforesaid were less than one thousand two hundred dollars per mile of road operated by said company, three cents per mile: *Provided*, That in the future, whenever the earnings of any company doing business in this State, as reported to the Commissioner of Railroads at the close of any year, shall increase so as to equal or exceed the sum of one thousand two hundred dollars per mile of road operated by said company, then in such case said company shall thereafter upon the notification of the Commissioner of Railroads be required to only receive as compensation for the transportation of any passenger, his or her ordinary baggage, not exceeding in weight one hundred fifty pounds, a rate of two cents per mile as hereinbefore provided: *Provided, further*, That in computing the passenger earnings per mile of any company the earnings and mileage of all branch roads owned, leased, controlled or occupied, or that may hereafter be owned, leased, controlled or occupied by such company, shall be included in the computation and the rate of fare shall be the same on all lines owned, leased, controlled or occupied by such company: *Provided, further*, That the roads in the Upper Peninsula shall be allowed to charge not to exceed three cents per mile except as hereinbefore provided, but no company shall charge, demand or receive any greater compensation per mile for transportation of children of the age of twelve years, or under, than one-half of the rate herein prescribed: *Provided, further*, That any railroad company which shall, within thirty days after notification by the Railroad Commissioner, fail to comply with the provisions of subdivision nine of this section, shall immediately after such failure become liable to the people of the State of Michigan in a penalty of five hundred dollars per day for each and every secular day during the pendency of such failure, which said penalty shall be collected in an action to be brought by the Commissioner of Railroads, in any court of competent jurisdiction within this State, and which said penalty, when collected, shall be paid into the State treasury and credited to the primary school fund. The penalty in this section mentioned shall be supplemental to and shall not be deemed to supersede any extraordinary remedy, by mandamus or otherwise, authorized by law, to be instituted by the State, the Commissioner of Railroads or any State officer or board, to compel compliance with section one of this act.

Proviso, as to increase in earnings.

Proviso, computing earnings.

Proviso, Upper Peninsula.

Proviso, liability to the State.

The provisions of this section shall apply to all railroad companies operating lines of railroad in this State, whether such companies are organized under the general railroad law or under any special charter from the State legislature.

Application of section.

Approved April 18, 1907.

CHAS. W. BROWN, CLERK.

[No. 55.]

AN ACT to amend section two of act two hundred sixty of the public acts of eighteen hundred eighty-one, entitled "An act to provide for the protection of children," said section being compiler's section five thousand five hundred fifty-four of the Compiled Laws of eighteen hundred ninety-seven, as amended by act two hundred thirty-six of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section two of act number two hundred sixty of the public acts of eighteen hundred eighty-one, entitled "An act to provide for the protection of children," said section being compiler's section five thousand five hundred fifty-four of the Compiled Laws of eighteen hundred ninety-seven, as amended by act two hundred thirty-six of the public acts of nineteen hundred five, is hereby amended to read as follows:

Minors or stu-
dents not al-
lowed in sa-
loons, pool-
rooms, etc.

SEC. 2. No minor child under seventeen years of age, nor any minor who is a student in any public, private or parochial schools in the State of Michigan, shall be permitted to remain in any saloon, barroom or other place where any spirituous or intoxicating liquor, or any wine or beer, or any beverage, liquor or liquors containing any spirituous or intoxicating liquor, beer or malt liquor, is sold, given away or furnished for a beverage; or in any place of amusement known as dance houses, concert saloons, variety theaters or in any house of prostitution; or in any room or hall occupied or used for hire, gain or reward, for the purpose of playing billiards, pool, ninepins, bowling, cards, dice or any other unlawful game, or in any room or hall used or occupied for gaming, pool-selling or betting in any manner whatever. Any proprietor, keeper or manager of any such place, who shall permit such child to remain in any such place, and any person who shall encourage or induce in any way such child to enter such place or to remain therein, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or both such fine and imprisonment in the discretion of the court.

When proprie-
tors guilty of
misdemeanor.

Penalty.

Approved April 25, 1907.

[No. 56.]

AN ACT to amend section forty-four of act number one hundred eighty-three of the public acts of the State of Michigan of eighteen hundred ninety-seven, approved May twenty-ninth, eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," the same being section four hundred six of the Compiled Laws of Michigan of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section forty-four of act number one hundred eighty-three of the public acts of the State of Michigan of eighteen hundred ninety-seven, approved May twenty-ninth, eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," the same being section four hundred six of the Compiled Laws of the State of Michigan of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

SEC. 44. In the thirty-first circuit the stenographer shall be paid an annual salary of two thousand dollars. Salary in Thirty-first Circuit.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 57.]

AN ACT to amend section twenty of act one hundred eighteen of the public acts of eighteen hundred ninety-three, approved May twenty-six, eighteen hundred ninety-three, entitled "An act to revise and consolidate the laws relative to the State Prison, the State House of Correction and Branch of the State Prison in the Upper Peninsula, and to the House of Correction and Reformatory at Ionia, and the government and discipline thereof, and to repeal all acts inconsistent therewith," being section two thousand ninety-nine of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section twenty of act one hundred eighteen of the public acts of eighteen hundred ninety-three, approved May twenty-six, eighteen hundred ninety-three, entitled "An act to revise and consolidate the laws relative to the State Section amended.

Prison, the State House of Correction and Branch of the State Prison in the Upper Peninsula, and to the House of Correction and Reformatory at Ionia, and the government and discipline thereof, and to repeal all acts inconsistent therewith," being section two thousand ninety-nine of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Salaries of
officers.

SEC. 20. There shall be paid monthly at the office of each prison to the officers thereof, the following annual salaries, to wit: To the warden, a sum not exceeding two thousand dollars; to the deputy, a sum not exceeding fifteen hundred dollars; to the clerk, a sum not exceeding one thousand dollars; to the physician, a sum not exceeding one thousand dollars; to the chaplain, a sum not exceeding one thousand dollars; to the chief engineer, a sum not exceeding one thousand dollars; to each of the keepers, a sum not exceeding one thousand dollars; to each of the guards, a sum not exceeding nine hundred dollars; as the board of the prison in its discretion may deem for the best interests of the prison, and all other employes of each prison shall be paid such compensation, within the limits above fixed, as said board may deem just and reasonable and shall direct: *Provided*, That any individual salary may be increased beyond the limit named in the preceding clause by the approval of the Governor. The warden shall, in addition to his salary, be allowed the use of house, fuel, lights and provisions for his family, and for guests who visit him on business connected with the prison, and any officer may, in the discretion of the board, be allowed the use of a house or an apartment free of rent; and no officer or other person employed in or about the prison shall be permitted to receive in any way perquisites, emoluments or supplies for himself or his family from the prison, other than the compensation allowed by law. The board of the prison may, if it shall deem it for the interest of the prison, require the keepers, guards, and such of the employes as they may designate, to be lodged and messed or boarded in the prison, and for that purpose may furnish lodging rooms in a plain and substantial manner, and supply provisions from the prison stock, which shall be cooked and prepared by the labor of convicts, and served at such time and on such terms and in such place as the board may direct.

Increase of
salaries.

Board for
employes.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 58.]

AN ACT to amend act two hundred six of the public acts of eighteen hundred ninety-three, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one, and all other acts and parts of acts in anywise contravening any of the provisions of this act," by adding thereto a new section to stand as section seventy-three a.

The People of the State of Michigan enact:

SECTION 1. Act two hundred six of the public acts of eighteen hundred ninety-three, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one and all other acts and parts of acts in anywise contravening any of the provisions of this act," is hereby amended by adding thereto a new section to be known as section seventy-three a. Act amended.

SEC. 73a. The right to recover possession of any land, or to a refunding of the amount paid, by any person claiming through or under any deed executed by the Auditor General or by virtue of a certificate of purchase issued under the provisions of this act shall be forever barred by the actual, open and continuous possession of any person claiming such land adversely to such tax deed, or certificate of purchase, for the period of five years after the purchaser of such tax title, his heirs or assigns, is entitled to a deed thereof, or by failure of such tax title purchaser, his heirs or assigns, to give the notice or notices required by this act for a reconveyance of the premises within the above specified period of five years. In case of such failure to give the required notice for reconveyance within the period of five years from the date such purchaser, his heirs or assigns shall become entitled to a tax deed to be issued by the Auditor General, the person or persons, claiming title under tax deed or certificate of purchase, shall be forever barred Right to recover possession of land or a refunding when barred.

When person barred from claiming title by tax purchase.

from asserting such title or claiming a lien on the land by reason of such tax purchase; and such purchaser, his heirs or assigns shall not thereafter be entitled to a refunding of the amount paid as a condition of the purchase of such tax title by reason of any defect, irregularity, invalidity, or any cause whatever affecting the taxes or the sale of the lands for such tax lien.

Approved April 25, 1907.

[No. 59.]

AN ACT to prohibit the catching of fish in the inland lakes of Kent county, for the purposes of sale, and to provide a penalty therefor.

The People of the State of Michigan enact:

Unlawful to
catch and sell
fish.

SECTION 1. It shall hereafter be unlawful to catch in any manner any fish in the inland lakes of Kent county, for the purposes of sale, or to offer for sale, or sell fish caught therein.

Penalty.

SEC. 2. Any person violating the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, before a court of competent jurisdiction, shall be punished by a fine of not to exceed one hundred dollars, or imprisonment in the county jail for a period of not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

Repealing
clause.

SEC. 3. All acts or parts of acts inconsistent herewith are hereby repealed.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 60.]

AN ACT to provide for the lawful taking of white fish in the waters of Elk lake in the counties of Antrim and Grand Traverse, Michigan, by means of a spear.

The People of the State of Michigan enact:

White fish,
when may
spear.

SECTION 1. It shall be lawful for any person between the first day of November and the tenth day of December of each year, to take white fish in the waters of Elk lake in the counties of Antrim and Grand Traverse, Michigan, by means

of a spear: *Provided*, That fish taken in accordance with the provisions of this act shall not be sold, offered for sale, or taken for purposes of sale. Proviso, sale.

SEC. 2. Any person violating the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof before a court of competent jurisdiction, shall be punished by a fine of not to exceed one hundred dollars or imprisonment in the county jail for a period not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court. Penalty for violation.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 61.]

AN ACT to amend section fourteen of article two of act number one hundred ninety-eight of the session laws of eighteen hundred seventy-three, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," the same being section six thousand two hundred thirty-nine of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section fourteen of article two of act number one hundred ninety-eight of the session laws of eighteen hundred seventy-three, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," the same being section six thousand two hundred thirty-nine of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

SEC. 14. Any railroad company organized under this act, receiving freight or live-stock for transportation, shall be entitled to the rights and be subject to the liabilities of common carriers, except as herein otherwise provided; but no such company shall be suffered to lessen or abridge its common-law liability as a common carrier, unless by an agreement to be signed by both parties thereto. Rights and liabilities as common carriers.

This act is ordered to take immediate effect.

Approved April 25, 1907.

Prison, the State House of Correction and Branch of the State Prison in the Upper Peninsula, and to the House of Correction and Reformatory at Ionia, and the government and discipline thereof, and to repeal all acts inconsistent therewith," being section two thousand ninety-nine of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Salaries of
officers.

Increase of
salaries.

Board for
employees.

SEC. 20. There shall be paid monthly at the office of each prison to the officers thereof, the following annual salaries, to wit: To the warden, a sum not exceeding two thousand dollars; to the deputy, a sum not exceeding fifteen hundred dollars; to the clerk, a sum not exceeding one thousand dollars; to the physician, a sum not exceeding one thousand dollars; to the chaplain, a sum not exceeding one thousand dollars; to the chief engineer, a sum not exceeding one thousand dollars; to each of the keepers, a sum not exceeding one thousand dollars; to each of the guards, a sum not exceeding nine hundred dollars; as the board of the prison in its discretion may deem for the best interests of the prison, and all other employes of each prison shall be paid such compensation, within the limits above fixed, as said board may deem just and reasonable and shall direct: *Provided*, That any individual salary may be increased beyond the limit named in the preceding clause by the approval of the Governor. The warden shall, in addition to his salary, be allowed the use of house, fuel, lights and provisions for his family, and for guests who visit him on business connected with the prison, and any officer may, in the discretion of the board, be allowed the use of a house or an apartment free of rent; and no officer or other person employed in or about the prison shall be permitted to receive in any way perquisites, emoluments or supplies for himself or his family from the prison, other than the compensation allowed by law. The board of the prison may, if it shall deem it for the interest of the prison, require the keepers, guards, and such of the employes as they may designate, to be lodged and messed or boarded in the prison, and for that purpose may furnish lodging rooms in a plain and substantial manner, and supply provisions from the prison stock, which shall be cooked and prepared by the labor of convicts, and served at such time and on such terms and in such place as the board may direct.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 58.]

AN ACT to amend act two hundred six of the public acts of eighteen hundred ninety-three, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one, and all other acts and parts of acts in anywise contravening any of the provisions of this act," by adding thereto a new section to stand as section seventy-three a.

The People of the State of Michigan enact:

SECTION 1. Act two hundred six of the public acts of eighteen hundred ninety-three, being "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one and all other acts and parts of acts in anywise contravening any of the provisions of this act," is hereby amended by adding thereto a new section to be known as section seventy-three a. Act amended.

SEC. 73a. The right to recover possession of any land, or to a refunding of the amount paid, by any person claiming through or under any deed executed by the Auditor General or by virtue of a certificate of purchase issued under the provisions of this act shall be forever barred by the actual, open and continuous possession of any person claiming such land adversely to such tax deed, or certificate of purchase, for the period of five years after the purchaser of such tax title, his heirs or assigns, is entitled to a deed thereof, or by failure of such tax title purchaser, his heirs or assigns, to give the notice or notices required by this act for a reconveyance of the premises within the above specified period of five years. In case of such failure to give the required notice for reconveyance within the period of five years from the date such purchaser, his heirs or assigns shall become entitled to a tax deed to be issued by the Auditor General, the person or persons, claiming title under tax deed or certificate of purchase, shall be forever barred Right to recover possession of land or a refunding when barred.

When person barred from claiming title by tax purchase.

from asserting such title or claiming a lien on the land by reason of such tax purchase; and such purchaser, his heirs or assigns shall not thereafter be entitled to a refunding of the amount paid as a condition of the purchase of such tax title by reason of any defect, irregularity, invalidity, or any cause whatever affecting the taxes or the sale of the lands for such tax lien.

Approved April 25, 1907.

[No. 59.]

AN ACT to prohibit the catching of fish in the inland lakes of Kent county, for the purposes of sale, and to provide a penalty therefor.

The People of the State of Michigan enact:

Unlawful to
catch and sell
fish.

SECTION 1. It shall hereafter be unlawful to catch in any manner any fish in the inland lakes of Kent county, for the purposes of sale, or to offer for sale, or sell fish caught therein.

Penalty.

SEC. 2. Any person violating the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, before a court of competent jurisdiction, shall be punished by a fine of not to exceed one hundred dollars, or imprisonment in the county jail for a period of not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

Repealing
clause.

SEC. 3. All acts or parts of acts inconsistent herewith are hereby repealed.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 60.]

AN ACT to provide for the lawful taking of white fish in the waters of Elk lake in the counties of Antrim and Grand Traverse, Michigan, by means of a spear.

The People of the State of Michigan enact:

White fish,
when may
spear.

SECTION 1. It shall be lawful for any person between the first day of November and the tenth day of December of each year, to take white fish in the waters of Elk lake in the counties of Antrim and Grand Traverse, Michigan, by means

of a spear: *Provided*, That fish taken in accordance with Proviso, sale. the provisions of this act shall not be sold, offered for sale, or taken for purposes of sale.

SEC. 2. Any person violating the provisions of section Penalty for violation. one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof before a court of competent jurisdiction, shall be punished by a fine of not to exceed one hundred dollars or imprisonment in the county jail for a period not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 61.]

AN ACT to amend section fourteen of article two of act number one hundred ninety-eight of the session laws of eighteen hundred seventy-three, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," the same being section six thousand two hundred thirty-nine of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section fourteen of article two of act number one hundred ninety-eight of the session laws of eighteen Section amended. hundred seventy-three, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," the same being section six thousand two hundred thirty-nine of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

SEC. 14. Any railroad company organized under this act, Rights and liabilities as common carriers. receiving freight or live-stock for transportation, shall be entitled to the rights and be subject to the liabilities of common carriers, except as herein otherwise provided; but no such company shall be suffered to lessen or abridge its common-law liability as a common carrier, unless by an agreement to be signed by both parties thereto.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 62.]

AN ACT to provide for the expenses and publication of the collections of the Michigan Pioneer and Historical Society, making an appropriation therefor and providing a tax to meet the same, for the fiscal years ending June thirtieth, nineteen hundred eight, and June thirtieth, nineteen hundred nine.

The People of the State of Michigan enact:

Appropriation. SECTION 1. There is hereby appropriated from the general fund, to the Michigan Pioneer and Historical Society, the sum of four thousand dollars for each of the fiscal years ending June thirtieth, nineteen hundred eight, and June thirtieth, nineteen hundred nine, which sum shall be used

How used. in the discretion of the executive committee of said society, in collecting, arranging and preserving a library of books, pamphlets, maps, charts, manuscripts, papers, paintings, statuary, and other materials illustrative of and relating to the history of Michigan; in rescuing from oblivion the memory of its early pioneers; in procuring and preserving narratives of their early exploits, perils, privations, hardy adventures, and noble achievements; in collecting materials of every description, relative to the history, genius, progress or decay of our Indian tribes; in exhibiting faithfully the past and present resources of Michigan; and in collecting for publication historical and other materials relative to and illustrative of the history of the State. The sum of one thousand dollars per year from the sums heretofore appropriated is hereby expressly designated for use in building up a historical museum in connection with said society. Said Michigan Pioneer and Historical Society shall collect, arrange and prepare the materials for the volumes for printing, which said volumes in editions of not more than two thousand five hundred copies each, and containing not to exceed seven hundred fifty pages each, shall be printed and published in the kind of type, quality of paper, and style of binding and printing as those heretofore published by said society; said printing to be done by the State printer, and binding by the State binder, under the direction and

How paid. superintendence of said society. The cost in full of said volumes, including printing, binding, reprints, shipping and distribution of same to be paid from the general fund of the State treasury upon vouchers therefor, approved by any member of the executive committee and the secretary of said society, after allowance and audit by the Board of State Auditors.

Distribution and sale of books. SEC. 2. The secretary of the society shall be the custodian of the publications of the society and of the museum, and shall exchange with the pioneer and historical societies

SEC. 3. The several funds appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the Michigan Pioneer and Historical Society, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder.

SEC. 4. From time to time, as the several volumes of the collections become exhausted, the society is authorized and directed to cause fifteen hundred copies of each volume to be revised and reprinted, the cost thereof, together with binding, proof reading and everything necessary to perfect the edition, to be paid for by the Board of State Auditors, on presentation of vouchers properly approved by any member of the executive committee and the secretary of said society, said books to be disposed of in all respects as the rest of said series is disposed of.

SEC. 5. No part of the sums hereby appropriated shall be paid for services rendered by its officers to the said society, while in the discharge of their official duties. A clerk shall be employed at a salary of one thousand dollars per annum and not to exceed five hundred dollars additional may be expended for necessary assistance, the salaries of which clerk and additional help shall be paid out of the appropriation provided in section one of this act. Such sum or sums of money heretofore appropriated, not expended for the purposes hereinbefore indicated may be used by and under the direction of the executive committee of the said society in procuring and obtaining exhibits and collections to be placed in said society rooms, and for carrying on the work according to the usual manner of historical societies and which may tend towards facilitating the best interests of said society. All supplies, stationery, etc., necessarily incident to the carrying on of the work of said society shall be furnished by the Board of State Auditors in the manner now employed in furnishing supplies, stationery, etc., in other State departments.

SEC. 6. The Auditor General shall add to and incorporate Tax clause.

in the State tax for the year nineteen hundred seven the sum of four thousand dollars, and for the year nineteen hundred eight, the sum of four thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 63.]

AN ACT to prohibit the spearing of fish through the ice in the Lake of the Woods, in Decatur and Hamilton townships, Van Buren county.

The People of the State of Michigan enact:

Unlawful to
spear through
ice.

SECTION 1. Hereafter it shall be unlawful to spear or attempt to spear any kind of fish, at any time, through the ice in the Lake of the Woods, in Decatur and Hamilton townships, Van Buren county.

Penalty for
violation.

SEC. 2. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than ten nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 64.]

AN ACT defining the crime of burglary with explosives and providing the punishment therefor.

The People of the State of Michigan enact:

Persons
deemed
guilty of
burglary with
explosives.

SECTION 1. Any person who, with intent to commit crime, breaks and enters any building and for the purpose of committing any crime, uses or attempts to use nitroglycerine, dynamite, gunpowder or any other high explosive shall be deemed guilty of burglary with explosives and on conviction shall be punished by imprisonment for a term of not less than fifteen years nor more than thirty years.

Approved April 25, 1907.

[No. 65.]

AN ACT to amend section fifteen of act number two hundred five of the public acts of eighteen hundred eighty-seven, as amended, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," the same being section six thousand one hundred four of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section fifteen of act number two hundred five of the public acts of eighteen hundred eighty-seven, as amended, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," the same being section six thousand one hundred four of the Compiled Laws of eighteen hundred ninety-seven, is amended to read as follows: Section amended.

SEC. 15. The board of directors of each bank shall appoint from its members or stockholders an examining committee or committees, whose duties it shall be to examine the condition of the bank at least once every six months. Board of directors to appoint examining committee.
 The examining committee shall report to the board, giving in detail all items included in the assets of the bank which they have reason to believe are not of the value at which they appear on the books and records of the bank, and giving the value of each of such items as in their judgment they may have determined. The board shall make a proper record of said report in the minute books of the bank, and a duly authenticated copy thereof shall be transmitted to the Commissioner of the Banking Department. Every bank shall at all times keep a correct list of the names of all its stockholders, and once in each year, on the second Monday of April, file in the office of the county clerk and with said commissioner a correct copy of such list. Duty of.
Board to make record and report.
File list of stockholders.

Approved April 25, 1907.

[No. 66.]

AN ACT for the protection of fish in the Grand river and its tributaries in the townships of Portland and Danby in the county of Ionia.

The People of the State of Michigan enact:

Unlawful to fish except with hook and line.

SECTION 1. It shall not be lawful for any person or persons to spear or attempt to spear, or catch or attempt to catch any fish in any other manner except with hook and line in the waters of the Grand river or its tributaries in the townships of Portland and Danby in the county of Ionia.

Penalty for violation.

SEC. 2. Any person offending against the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, before a court of competent jurisdiction, shall be fined a sum not to exceed twenty dollars or twenty days imprisonment in the county jail, or both such fine and imprisonment in the discretion of the court.

Repealing clause.

SEC. 3. All acts or parts of acts inconsistent herewith are hereby repealed.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 67.]

AN ACT to amend section ten of chapter nine of act number three of the public acts of eighteen hundred ninety-five, entitled "An act to provide for the incorporation of villages within the State of Michigan, and defining their powers and duties," being section two thousand eight hundred sixty-one of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section ten of chapter nine of act number three of the public acts of eighteen hundred ninety-five, entitled "An act to provide for the incorporation of villages within the State of Michigan, and defining their powers and duties," being section two thousand eight hundred sixty-one of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Board of review.

SEC. 10. The assessor and two qualified freeholders and electors of the village, to be annually appointed by the council, shall constitute a board of review of the assessments. At the time appointed for the review, the board shall meet at the place designated in the notice and continue in session

two days, for the purpose of reviewing and correcting such assessments; and for such purpose the board of review shall have the same powers, and perform like duties in all respects, as are conferred upon and required of boards of review in townships, in reviewing assessments in townships. They shall hear the complaints of all persons considering themselves aggrieved by such assessment, and if it shall appear that any person has been wrongfully assessed, or omitted from the roll, the board shall correct the roll in such manner as they shall deem just: *Provided*, That the council of any village having a population of less than one thousand according to the last preceding census whether the same be a State census or a United States census may, by resolution passed at least seven days before the meeting of the board, determine that the board shall remain in session but one day: And *Provided further*, That in villages having a population of more than one thousand according to the last preceding census whether the same be a State census or a United States census the said council may, in their discretion, in the same manner, extend the time of the meeting of the board of review not to exceed two days.

Powers and duties.

Proviso, as to length of session.

Further proviso, *idem*.

This act is ordered to take immediate effect.

Approved April 25, 1907.

[No. 68.]

AN ACT to authorize the boards of supervisors of the several counties of the State of Michigan to make contracts for the cure of drunkenness, the morphine and cigarette habits, and other like addictions.

The People of the State of Michigan enact:

SECTION 1. Any inhabitant of this State may petition the board of supervisors of the county, wherein any indigent person addicted to the excessive use of any intoxicating liquors or of morphia, laudanum, cocaine, opium or other narcotics to such an extent as to become an habitual drunkard, resides, for leave to send such drunkard, at the expense of the county, to any reputable institute for the treatment of such cases, designated by such board of supervisors under the conditions hereinafter contained, which petition shall set forth the name, age and condition of such drunkard, that such drunkard is not financially able to incur the expense of such treatment, and that such habitual drunkard is willing and has agreed to attend such institute

Any inhabitant may petition for treatment of drunkards, etc.

Petition, what to set forth.

Verification
of petition,
etc.

for the cure of drunkenness, which petition shall be verified by the person making such request and shall contain in addition thereto the written agreement of such drunkard to take such treatment, if allowed by the board, and a further statement signed by three reputable taxpayers of the county, and the supervisor of the township, ward or village, where such drunkard resides, stating that they are familiar with the facts set forth in the petition and with the financial circumstances of the drunkard and that they deem it a proper case for such action by the board of supervisors.

When
supervisors
may make
contract for
treatment.

SEC. 2. When such petition is filed, the board of supervisors may, if satisfied that the facts set forth in the petition are true, make and enter into a contract with the institution for the cure of such cases, for the treatment of the same, and the said board of supervisors shall order that the expense for the treatment, not exceeding one hundred dollars, be paid out of the county treasury in the manner that other claims and bills against the county are paid.

Drunkard,
defined.

SEC. 3. A drunkard, as defined herein, shall include all persons who use alcoholic, spirituous, malt, brewed, fermented or vinous liquors, or morphia, laudanum, cocaine, opium or other narcotic to such an extent as to deprive him or her of a reasonable degree of self-control.

Contract to
be made with
Michigan
institution.

SEC. 4. Such contract with such institute for the cure of said cases shall be made and entered into with one which is located in the State of Michigan, that can satisfy said board that not less than seventy-five per cent. of the persons having taken a full course of treatment, consisting of not less than four weeks, have been cured and have remained cured for at least one year thereafter.

Persons
treated may
reimburse
county.

SEC. 5. Any person who shall be treated at any institute under the provisions of this statute may at any time reimburse the county by paying to the county treasurer the amount thereof, and the treasurer shall give him a receipt for the amount so paid, which receipt shall state that such payment is for reimbursement, as aforesaid, and the amount so paid shall be turned into the general fund.

Repealing
clause.

SEC. 6. All acts or parts of acts contravening any of the provisions of this act are hereby repealed.

Approved April 30, 1907.

[No. 69.]

AN ACT to repeal act number ninety-three of the public acts of nineteen hundred three, entitled "An act to amend the title and sections one and two of act number one hundred four of the public acts of eighteen hundred ninety-nine, entitled 'An act for the protection of fish in the Kalamazoo river and its tributaries in the townships of Saugatuck and Manlius in the county of Allegan.'"

The People of the State of Michigan enact:

SECTION 1. Act number ninety-three of the public acts of nineteen hundred three is hereby repealed. Act repealed.

This act is ordered to take immediate effect.

Approved April 30, 1907.

[No. 70.]

AN ACT to amend act number sixty-one of the public acts of eighteen hundred ninety-seven, entitled "An act to authorize the use of any thoroughly tested and reliable voting machine at any election held in this State," as amended by act number two hundred thirty-four of the public acts of nineteen hundred three, and by act number two hundred seventeen of the public acts of nineteen hundred five, by adding a new section thereto to stand as section seventeen.

The People of the State of Michigan enact:

SECTION 1. Act number sixty-one of the public acts of eighteen hundred ninety-seven, entitled "An act to authorize the use of any thoroughly tested and reliable voting machine at any election held in this State," as amended by act number two hundred thirty-four of the public acts of nineteen hundred three and by act number two hundred seventeen of the public acts of nineteen hundred five, is hereby amended by adding a new section thereto to stand as section seventeen and to read as follows: Act amended.

SEC. 17. When the right of any person offering to vote has been challenged, the inspectors of election shall tender to him such of the oaths required by the election laws of the State, as he may claim to contain the grounds of his qualification to vote. If such person, so challenged, will take either of the oaths provided by law his vote shall be received, and he shall have the right to cast a ballot in the manner provided in section eleven of this act for voting an Proceedings, when voter is challenged.

Proviso.

irregular ballot, or in the ballot box provided in section five of act sixty-one, public acts of eighteen hundred ninety-seven, for voting on any question or matter not provided for by the voting machine: *Provided*, The ballot so cast shall comply with the provisions of sections three thousand seven hundred twenty and three thousand seven hundred twenty-one of the Compiled Laws of eighteen hundred ninety-seven.

This act is ordered to take immediate effect.

Approved April 30, 1907.

[No. 71.]

AN ACT to provide for the incorporation of a mutual benefit society in the county of Mason, State of Michigan.

The People of the State of Michigan enact:

When society
may incorpo-
rate.

Manner of in-
corporation.

Rights of
corporation.

Funds.

Mortuary
fund.

SECTION 1. Any society heretofore or hereafter organized, the membership in which, at the time of becoming members, is confined to the residents of Mason county, and having for its object the payment of a sum or sums of money to designated beneficiaries, on the death of a member, or the payment of sick or funeral benefits, or all or any one of such objects, may become a body corporate in the following manner: At any regular meeting of such society, due notice having been given at the preceding regular meeting, a vote shall be taken on the question, "Shall this society become a body corporate?" And when said question shall have been adopted by a vote of two-thirds of the members present and voting thereon, said society shall file in the office of the Secretary of State, and also in the office of the county clerk, a copy of the constitution and by-laws of said society, and also a copy of the above vote, certified to by the president and secretary of said society, and said society shall thereupon become a body corporate and may sue and be sued.

SEC. 2. No corporation formed in accordance with the provisions of this act, shall issue stock or borrow money, or hold invested funds, or acquire or hold real estate, except such as may be necessary for the transaction of its business.

SEC. 3. The funds of such corporation shall be derived from assessments upon its members and shall be collected and applied only as prescribed in its constitution and by-laws.

SEC. 4. Such corporation may provide, in its constitution and by-laws, and in its certificates of membership, that each person, upon becoming a member of such society, shall pay an equal and stipulated sum, into its mortuary fund, to be

deposited in a savings or other bank, and that such fund so accumulated, with its own earnings, shall constitute the amount of benefits to be paid to the beneficiary or beneficiaries of the member first dying, and that upon the death of a member, a new mortuary fund shall be created by a like assessment upon each of said members remaining and each new member upon becoming a member, so that the amount of death benefits to be paid by such society shall be governed by the number of members in good standing, and the amount earned by such fund, so deposited in such bank.

SEC. 5. Every such corporation shall, when by him requested to do so, and upon blanks, by him furnished, report to the Insurance Commissioner, all facts concerning its business, which he may require, and shall be subject to the supervision of said commissioner, according to the provisions of sections fifteen and twenty-two of act one hundred eighty-seven of the public acts of eighteen hundred eighty-seven, so far as the same may be applicable and not in conflict with the provisions of this act. Report to
Insurance
Commissioner.

SEC. 6. Any society, coming within the purview of this act, that may have heretofore become incorporated under and by virtue of any other law, may secure the benefits and provisions of this act, by filing in the office of the Secretary of State and also in the office of the county clerk of said Mason county, notice in writing, signed by its president and secretary, of its desire so to do. Former corpo-
rations may
receive benefit
of this act.

This act is ordered to take immediate effect.

Approved April 30, 1907.

[No. 72.]

AN ACT to regulate the granting of relief to and the admission of certain poor persons to the asylums and almshouses, and to provide for collecting the expense of the temporary care and transportation of such persons, and to repeal all acts or parts of acts inconsistent herewith.

The People of the State of Michigan enact:

SECTION 1. Any poor person who is incompetent to earn a livelihood at the time of such person's entry into any county in this State, or becomes so incompetent within one year from the time of such entry, shall not be entitled to admission into any of the State asylums or county asylums or almshouses at the expense of the State or county or to receive any public relief of any nature, when the name of the county or State from whence said person came can be ascertained, excepting such temporary care or relief as such person may need pending his return, as hereinafter provided, to the county where he was last continuously settled for one year. Persons not
entitled to
admission to
asylums, etc.

Temporary
relief.

Duty of superintendents of the poor.

SEC. 2. The superintendents of the poor, or any of them, of the county in which such person shall have entered, as aforesaid, in which such person may require temporary relief, shall, within ten days after ascertaining the county in which such person shall have been last continuously settled for one year previous to the time of such entry, give notice, in writing, to the superintendents of the poor of such county, which said notice shall be substantially in the following form:

Form of notice.

To the Superintendents of the Poor of the county of

Take Notice, That....., a poor person, who was last continuously settled for one year in the county of....., before leaving said county and coming into the county of....., is temporarily in the county of..... and is receiving such relief and care as h... may require on account of h... being such poor person, and will continue to receive such care at the expense of your county; and you are required, forthwith, to cause said poor person to be transported into your own county, pursuant to the provisions of the statute in such case made and provided.

Dated this.....day of....., A. D.....

.....
Superintendent of the Poor of
.....County.

Service of notice.

The said notice may be served by any superintendent of the poor of the county where such poor person may temporarily be as aforesaid, upon the superintendents of the poor of the county in which such poor person was last continuously settled for one year, by delivering said notice personally to any of said superintendents of the poor, or by sending a copy of said notice by registered mail, addressed to the superintendents of the poor of said county, at the county seat of said county; and in any action arising under or by virtue of the provisions of this act, an affidavit of the fact of serving such notice made by the superintendent of the poor making personal service of said notice, as aforesaid, or the affidavit of such superintendent of the poor of the fact of registering and mailing said notice, accompanied by the postoffice receipt for such registered letter and a true copy of the notice enclosed in said letter, shall be sufficient proof of such service.

Proof of service.

Denial of liability by superintendents of poor.

SEC. 3. It shall [be] the duty of the superintendents of the poor, or any of them, of the county sought to be charged with the care, relief, support and return transportation of poor persons by means of the notice required in section two of this act, if they, or any of them, shall deem their county not legally responsible for the care, relief, support and return transportation of such poor persons, to serve a

denial of liability, in writing, upon the superintendent of the poor from whom notice was received in accordance with the provisions of section two of this act, within ten days after the date of service of such notice, which said denial shall be substantially in the following form:

To the Superintendents of the Poor of the County of Notice of denial of liability.

Take Notice, That the county ofhereby denies any and all liability of every name and nature for the care, relief, support and return transportation of, the poor person mentioned in a certain notice dated the.....day of.....A. D.,....., from....., superintendent of the poor of.....county, and served on the superintendents of the poor of.....county on the.....day of....., A. D.,.....

Dated this..... day of..... A. D.,

.....
Superintendent of the Poor of
.....County.

Which said denial, in writing, shall be served and proof of such service shall be made in like manner as provided in section two of this act. And in case of service of said denial of liability, as aforesaid, such poor person shall not be transported to said county sought to be charged with the liability for his care, relief, support and return transportation, as aforesaid, until such liability shall be determined by some circuit court within the State; but if such written denial shall not be served on the superintendents of the poor of the county where such poor person or persons may temporarily be, as aforesaid, in the time and in the manner aforesaid, then the county sought to be charged with the care, relief, support and return transportation of such poor person shall be forever barred from denying liability for the expense of the care, relief, support and return transportation furnished pursuant to the notice served in accordance with the provisions of section two of this act.

SEC. 4. If, after receiving the notice prescribed in section two of this act, the superintendents of the poor of the county served with such notice shall not, within twenty days, transport the poor person described in said notice to said county, then it shall be the duty of the superintendents of the poor of the county serving the notice prescribed in section two of this act to forthwith transport such poor person into the custody of the superintendents of the poor of the county upon which the notice prescribed in section

Service of notice.

When barred from denial of liability.

Transportation of poor persons.

Itemized statement of expenses by county giving temporary relief.

Action for recovery of expenses.

Action, where instituted.

Service of process.

Recovery of amount expended, in certain counties.

Liability of superintendent of poor.

Payment of expenses for non-residents of state.

two of this act was served as aforesaid. And the superintendents of the poor of the county furnishing temporary care, relief, support and return transportation, in accordance with the provisions of section one of this act and serving notice as required in section two of this act, shall, within thirty days after furnishing such temporary care, relief, support and return transportation, present to the superintendents of the poor of the county upon which such notice was served, in accordance with the provisions of section three of this act, a sworn itemized statement of the expenses incurred in the temporary care, relief, support and return transportation of such poor person, to the superintendents of the poor of the county upon which notice was so served, and if said bill is not allowed within thirty days after being presented as aforesaid, the superintendents of the poor presenting such bill may institute an action at law, in their own name, in any circuit court within this State, against the superintendents of the poor of the county neglecting or refusing to allow such bill, for the recovery of the same, with interest from the date of presentation as aforesaid.

SEC. 5. Any action instituted by the superintendents of the poor of any county in this State, to recover the cost of furnishing temporary care, relief, support and return transportation to any poor person, shall be commenced in the circuit court in the county where such care, relief, support and return transportation was furnished, and service of process in such cases may be made by any officer authorized by law to serve the processes of courts of like jurisdiction in any county in this State, upon any one of the superintendents of the poor against whom such action is brought, and such service and return thereof in accordance with law shall give the court in which such action is commenced full jurisdiction to hear and determine such cause, in like manner as if served upon all said superintendents of the poor in the county where such action was commenced.

SEC. 6. In those counties where the distinction between county and township poor exists [exists], the amount expended in any case where such poor person has a settlement in any township in the county, may be charged up to and recovered from such township by the superintendents of the poor for the county in which said township is situated, who have been required, under the provisions of this act, to audit, allow and pay the account for temporary care, relief, support and transportation of such poor person.

SEC. 7. No superintendent of the poor, acting under the provisions of this act, in taking into custody, relieving, supporting or transporting any poor person as herein provided, shall become liable to any action or prosecution for illegal arrest or false imprisonment.

SEC. 8. If any such person belongs to another state and has come from outside the State, the superintendents of the

poor of the county, the medical superintendent of the asylum, or the superintendent of the poor of any city where such person may be, shall furnish transportation and necessary attendance in their discretion to such person, and the expense of the same shall be allowed by the State Board of Auditors and paid by the State on properly attested vouchers from the said superintendents of the poor, medical superintendent or the superintendent of the poor of any city.

SEC. 9. All acts or parts of acts contrary to the provisions of this act are hereby repealed. Repealing clause.

Approved May 2, 1907.

[No. 73.]

AN ACT making appropriations for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, for the purpose of promoting the horticultural interests of the State and the editing and compiling of the reports of the Michigan State Horticultural Society, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the use of the Michigan State Horticultural Society for the fiscal year ending June thirty, nineteen hundred eight, the sum of one thousand five hundred dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of one thousand five hundred dollars. Appropriation.

SEC. 2. The moneys appropriated by this act shall be paid by the State Treasurer upon the warrant of the Auditor General. The accounts of the Society shall be made upon forms of vouchers furnished by the Auditor General, shall be fully itemized, and shall show that the disbursements were for the purposes prescribed in this act. Said accounts shall be certified as correct by the president and secretary of the Michigan State Horticultural Society. How paid.

SEC. 3. The moneys hereby appropriated may be used by the officers of the Michigan State Horticultural Society for procuring lectures, employing scientists or experts to investigate the diseases and insect enemies of trees, vines, plants or fruit, to determine and promulgate the best method of preventing or destroying said diseases and insects, or in such other manner as in the judgment of said board will best promote the horticultural interests of the State; also in the work of collecting material, securing cuts for illustrations, and in preparation of the copy of the reports of said society for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine. How used.

Verification
of petition,
etc.

for the cure of drunkenness, which petition shall be verified by the person making such request and shall contain in addition thereto the written agreement of such drunkard to take such treatment, if allowed by the board, and a further statement signed by three reputable taxpayers of the county, and the supervisor of the township, ward or village, where such drunkard resides, stating that they are familiar with the facts set forth in the petition and with the financial circumstances of the drunkard and that they deem it a proper case for such action by the board of supervisors.

When
supervisors
may make
contract for
treatment.

SEC. 2. When such petition is filed, the board of supervisors may, if satisfied that the facts set forth in the petition are true, make and enter into a contract with the institution for the cure of such cases, for the treatment of the same, and the said board of supervisors shall order that the expense for the treatment, not exceeding one hundred dollars, be paid out of the county treasury in the manner that other claims and bills against the county are paid.

Drunkard,
defined.

SEC. 3. A drunkard, as defined herein, shall include all persons who use alcoholic, spirituous, malt, brewed, fermented or vinous liquors, or morphia, laudanum, cocaine, opium or other narcotic to such an extent as to deprive him or her of a reasonable degree of self-control.

Contract to
be made with
Michigan
institution.

SEC. 4. Such contract with such institute for the cure of said cases shall be made and entered into with one which is located in the State of Michigan, that can satisfy said board that not less than seventy-five per cent. of the persons having taken a full course of treatment, consisting of not less than four weeks, have been cured and have remained cured for at least one year thereafter.

Persons
treated may
reimburse
county.

SEC. 5. Any person who shall be treated at any institute under the provisions of this statute may at any time reimburse the county by paying to the county treasurer the amount thereof, and the treasurer shall give him a receipt for the amount so paid, which receipt shall state that such payment is for reimbursement, as aforesaid, and the amount so paid shall be turned into the general fund.

Repealing
clause.

SEC. 6. All acts or parts of acts contravening any of the provisions of this act are hereby repealed.

Approved April 30, 1907.

[No. 69.]

AN ACT to repeal act number ninety-three of the public acts of nineteen hundred three, entitled "An act to amend the title and sections one and two of act number one hundred four of the public acts of eighteen hundred ninety-nine, entitled 'An act for the protection of fish in the Kalamazoo river and its tributaries in the townships of Saugatuck and Manlius in the county of Allegan.'"

The People of the State of Michigan enact:

SECTION 1. Act number ninety-three of the public acts Act repealed.
of nineteen hundred three is hereby repealed.

This act is ordered to take immediate effect.

Approved April 30, 1907.

[No. 70.]

AN ACT to amend act number sixty-one of the public acts of eighteen hundred ninety-seven, entitled "An act to authorize the use of any thoroughly tested and reliable voting machine at any election held in this State," as amended by act number two hundred thirty-four of the public acts of nineteen hundred three, and by act number two hundred seventeen of the public acts of nineteen hundred five, by adding a new section thereto to stand as section seventeen.

The People of the State of Michigan enact:

SECTION 1. Act number sixty-one of the public acts of Act amended.
eighteen hundred ninety-seven, entitled "An act to authorize the use of any thoroughly tested and reliable voting machine at any election held in this State," as amended by act number two hundred thirty-four of the public acts of nineteen hundred three and by act number two hundred seventeen of the public acts of nineteen hundred five, is hereby amended by adding a new section thereto to stand as section seventeen and to read as follows:

SEC. 17. When the right of any person offering to vote Proceedings,
has been challenged, the inspectors of election shall tender when voter is
to him such of the oaths required by the election laws of challenged.
the State, as he may claim to contain the grounds of his
qualification to vote. If such person, so challenged, will
take either of the oaths provided by law his vote shall be
received, and he shall have the right to cast a ballot in the
manner provided in section eleven of this act for voting an

Proviso.

irregular ballot, or in the ballot box provided in section five of act sixty-one, public acts of eighteen hundred ninety-seven, for voting on any question or matter not provided for by the voting machine: *Provided*, The ballot so cast shall comply with the provisions of sections three thousand seven hundred twenty and three thousand seven hundred twenty-one of the Compiled Laws of eighteen hundred ninety-seven.

This act is ordered to take immediate effect.

Approved April 30, 1907.

[No. 71.]

AN ACT to provide for the incorporation of a mutual benefit society in the county of Mason, State of Michigan.

The People of the State of Michigan enact:

When society
may incorpo-
rate.

Manner of in-
corporation.

Rights of
corporation.

Funds.

Mortuary
fund.

SECTION 1. Any society heretofore or hereafter organized, the membership in which, at the time of becoming members, is confined to the residents of Mason county, and having for its object the payment of a sum or sums of money to designated beneficiaries, on the death of a member, or the payment of sick or funeral benefits, or all or any one of such objects, may become a body corporate in the following manner: At any regular meeting of such society, due notice having been given at the preceding regular meeting, a vote shall be taken on the question, "Shall this society become a body corporate?" And when said question shall have been adopted by a vote of two-thirds of the members present and voting thereon, said society shall file in the office of the Secretary of State, and also in the office of the county clerk, a copy of the constitution and by-laws of said society, and also a copy of the above vote, certified to by the president and secretary of said society, and said society shall thereupon become a body corporate and may sue and be sued.

SEC. 2. No corporation formed in accordance with the provisions of this act, shall issue stock or borrow money, or hold invested funds, or acquire or hold real estate, except such as may be necessary for the transaction of its business.

SEC. 3. The funds of such corporation shall be derived from assessments upon its members and shall be collected and applied only as prescribed in its constitution and by-laws.

SEC. 4. Such corporation may provide, in its constitution and by-laws, and in its certificates of membership, that each person, upon becoming a member of such society, shall pay an equal and stipulated sum, into its mortuary fund, to be

deposited in a savings or other bank, and that such fund so accumulated, with its own earnings, shall constitute the amount of benefits to be paid to the beneficiary or beneficiaries of the member first dying, and that upon the death of a member, a new mortuary fund shall be created by a like assessment upon each of said members remaining and each new member upon becoming a member, so that the amount of death benefits to be paid by such society shall be governed by the number of members in good standing, and the amount earned by such fund, so deposited in such bank.

SEC. 5. Every such corporation shall, when by him requested to do so, and upon blanks, by him furnished, report to the Insurance Commissioner, all facts concerning its business, which he may require, and shall be subject to the supervision of said commissioner, according to the provisions of sections fifteen and twenty-two of act one hundred eighty-seven of the public acts of eighteen hundred eighty-seven, so far as the same may be applicable and not in conflict with the provisions of this act.

Report to
Insurance
Commissioner.

SEC. 6. Any society, coming within the purview of this act, that may have heretofore become incorporated under and by virtue of any other law, may secure the benefits and provisions of this act, by filing in the office of the Secretary of State and also in the office of the county clerk of said Mason county, notice in writing, signed by its president and secretary, of its desire so to do.

Former corpo-
rations may
receive benefit
of this act.

This act is ordered to take immediate effect.

Approved April 30, 1907.

[No. 72.]

AN ACT to regulate the granting of relief to and the admission of certain poor persons to the asylums and almshouses, and to provide for collecting the expense of the temporary care and transportation of such persons, and to repeal all acts or parts of acts inconsistent herewith.

The People of the State of Michigan enact:

SECTION 1. Any poor person who is incompetent to earn a livelihood at the time of such person's entry into any county in this State, or becomes so incompetent within one year from the time of such entry, shall not be entitled to admission into any of the State asylums or county asylums or almshouses at the expense of the State or county or to receive any public relief of any nature, when the name of the county or State from whence said person came can be ascertained, excepting such temporary care or relief as such person may need pending his return, as hereinafter provided, to the county where he was last continuously settled for one year.

Persons not
entitled to
admission to
asylums, etc.

Temporary
relief.

Duty of superintendents of the poor.

SEC. 2. The superintendents of the poor, or any of them, of the county in which such person shall have entered, as aforesaid, in which such person may require temporary relief, shall, within ten days after ascertaining the county in which such person shall have been last continuously settled for one year previous to the time of such entry, give notice, in writing, to the superintendents of the poor of such county, which said notice shall be substantially in the following form:

Form of notice.

To the Superintendents of the Poor of the county of
.....:

Take Notice, That....., a poor person, who was last continuously settled for one year in the county of....., before leaving said county and coming into the county of....., is temporarily in the county of..... and is receiving such relief and care as h... may require on account of h... being such poor person, and will continue to receive such care at the expense of your county; and you are required, forthwith, to cause said poor person to be transported into your own county, pursuant to the provisions of the statute in such case made and provided.

Dated this.....day of....., A. D.....

.....
Superintendent of the Poor of
.....County.

Service of notice.

The said notice may be served by any superintendent of the poor of the county where such poor person may temporarily be as aforesaid, upon the superintendents of the poor of the county in which such poor person was last continuously settled for one year, by delivering said notice personally to any of said superintendents of the poor, or by sending a copy of said notice by registered mail, addressed to the superintendents of the poor of said county, at the county seat of said county; and in any action arising under or by virtue of the provisions of this act, an affidavit of the fact of serving such notice made by the superintendent of the poor making personal service of said notice, as aforesaid, or the affidavit of such superintendent of the poor of the fact of registering and mailing said notice, accompanied by the postoffice receipt for such registered letter and a true copy of the notice enclosed in said letter, shall be sufficient proof of such service.

Proof of service.

Denial of liability by superintendents of poor.

SEC. 3. It shall [be] the duty of the superintendents of the poor, or any of them, of the county sought to be charged with the care, relief, support and return transportation of poor persons by means of the notice required in section two of this act, if they, or any of them, shall deem their county not legally responsible for the care, relief, support and return transportation of such poor persons, to serve a

denial of liability, in writing, upon the superintendent of the poor from whom notice was received in accordance with the provisions of section two of this act, within ten days after the date of service of such notice, which said denial shall be substantially in the following form:

To the Superintendents of the Poor of the County of: Notice of
denial of
liability.

Take Notice, That the county ofhereby denies any and all liability of every name and nature for the care, relief, support and return transportation of, the poor person mentioned in a certain notice dated the.....day of.....A. D.,....., from....., superintendent of the poor of.....county, and served on the superintendents of the poor of.....county on the.....day of....., A. D.,.....

Dated this..... day of..... A. D.,

.....
Superintendent of the Poor of
.....County.

Which said denial, in writing, shall be served and proof of such service shall be made in like manner as provided in section two of this act. And in case of service of said denial of liability, as aforesaid, such poor person shall not be transported to said county sought to be charged with the liability for his care, relief, support and return transportation, as aforesaid, until such liability shall be determined by some circuit court within the State; but if such written denial shall not be served on the superintendents of the poor of the county where such poor person or persons may temporarily be, as aforesaid, in the time and in the manner aforesaid, then the county sought to be charged with the care, relief, support and return transportation of such poor person shall be forever barred from denying liability for the expense of the care, relief, support and return transportation furnished pursuant to the notice served in accordance with the provisions of section two of this act. Service of
notice.

When barred
from denial of
liability.

SEC. 4. If, after receiving the notice prescribed in section two of this act, the superintendents of the poor of the county served with such notice shall not, within twenty days, transport the poor person described in said notice to said county, then it shall be the duty of the superintendents of the poor of the county serving the notice prescribed in section two of this act to forthwith transport such poor person into the custody of the superintendents of the poor of the county upon which the notice prescribed in section Transporta-
tion of poor
persons.

Itemized statement of expenses by county giving temporary relief.

Action for recovery of expenses.

Action, where instituted.

Service of process.

Recovery of amount expended, in certain counties.

Liability of superintendent of poor.

Payment of expenses for non-residents of state.

two of this act was served as aforesaid. And the superintendents of the poor of the county furnishing temporary care, relief, support and return transportation, in accordance with the provisions of section one of this act and serving notice as required in section two of this act, shall, within thirty days after furnishing such temporary care, relief, support and return transportation, present to the superintendents of the poor of the county upon which such notice was served, in accordance with the provisions of section three of this act, a sworn itemized statement of the expenses incurred in the temporary care, relief, support and return transportation of such poor person, to the superintendents of the poor of the county upon which notice was so served, and if said bill is not allowed within thirty days after being presented as aforesaid, the superintendents of the poor presenting such bill may institute an action at law, in their own name, in any circuit court within this State, against the superintendents of the poor of the county neglecting or refusing to allow such bill, for the recovery of the same, with interest from the date of presentation as aforesaid.

SEC. 5. Any action instituted by the superintendents of the poor of any county in this State, to recover the cost of furnishing temporary care, relief, support and return transportation to any poor person, shall be commenced in the circuit court in the county where such care, relief, support and return transportation was furnished, and service of process in such cases may be made by any officer authorized by law to serve the processes of courts of like jurisdiction in any county in this State, upon any one of the superintendents of the poor against whom such action is brought, and such service and return thereof in accordance with law shall give the court in which such action is commenced full jurisdiction to hear and determine such cause, in like manner as if served upon all said superintendents of the poor in the county where such action was commenced.

SEC. 6. In those counties where the distinction between county and township poor exists [exists], the amount expended in any case where such poor person has a settlement in any township in the county, may be charged up to and recovered from such township by the superintendents of the poor for the county in which said township is situated, who have been required, under the provisions of this act, to audit, allow and pay the account for temporary care, relief, support and transportation of such poor person.

SEC. 7. No superintendent of the poor, acting under the provisions of this act, in taking into custody, relieving, supporting or transporting any poor person as herein provided, shall become liable to any action or prosecution for illegal arrest or false imprisonment.

SEC. 8. If any such person belongs to another state and has come from outside the State, the superintendents of the

poor of the county, the medical superintendent of the asylum, or the superintendent of the poor of any city where such person may be, shall furnish transportation and necessary attendance in their discretion to such person, and the expense of the same shall be allowed by the State Board of Auditors and paid by the State on properly attested vouchers from the said superintendents of the poor, medical superintendent or the superintendent of the poor of any city.

SEC. 9. All acts or parts of acts contrary to the provisions of this act are hereby repealed. Repealing clause.

Approved May 2, 1907.

[No. 73.]

AN ACT making appropriations for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, for the purpose of promoting the horticultural interests of the State and the editing and compiling of the reports of the Michigan State Horticultural Society, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the use of the Michigan State Horticultural Society for the fiscal year ending June thirty, nineteen hundred eight, the sum of one thousand five hundred dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of one thousand five hundred dollars. Appropriation.

SEC. 2. The moneys appropriated by this act shall be paid by the State Treasurer upon the warrant of the Auditor General. The accounts of the Society shall be made upon forms of vouchers furnished by the Auditor General, shall be fully itemized, and shall show that the disbursements were for the purposes prescribed in this act. Said accounts shall be certified as correct by the president and secretary of the Michigan State Horticultural Society. How paid.

SEC. 3. The moneys hereby appropriated may be used by the officers of the Michigan State Horticultural Society for procuring lectures, employing scientists or experts to investigate the diseases and insect enemies of trees, vines, plants or fruit, to determine and promulgate the best method of preventing or destroying said diseases and insects, or in such other manner as in the judgment of said board will best promote the horticultural interests of the State; also in the work of collecting material, securing cuts for illustrations, and in preparation of the copy of the reports of said society for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine. How used.

Proviso.

irregular ballot, or in the ballot box provided in section five of act sixty-one, public acts of eighteen hundred ninety-seven, for voting on any question or matter not provided for by the voting machine: *Provided*, The ballot so cast shall comply with the provisions of sections three thousand seven hundred twenty and three thousand seven hundred twenty-one of the Compiled Laws of eighteen hundred ninety-seven.

This act is ordered to take immediate effect.

Approved April 30, 1907.

[No. 71.]

AN ACT to provide for the incorporation of a mutual benefit society in the county of Mason, State of Michigan.

The People of the State of Michigan enact:

When society
may incorpo-
rate.

Manner of in-
corporation.

Rights of
corporation.

Funds.

Mortuary
fund.

SECTION 1. Any society heretofore or hereafter organized, the membership in which, at the time of becoming members, is confined to the residents of Mason county, and having for its object the payment of a sum or sums of money to designated beneficiaries, on the death of a member, or the payment of sick or funeral benefits, or all or any one of such objects, may become a body corporate in the following manner: At any regular meeting of such society, due notice having been given at the preceding regular meeting, a vote shall be taken on the question, "Shall this society become a body corporate?" And when said question shall have been adopted by a vote of two-thirds of the members present and voting thereon, said society shall file in the office of the Secretary of State, and also in the office of the county clerk, a copy of the constitution and by-laws of said society, and also a copy of the above vote, certified to by the president and secretary of said society, and said society shall thereupon become a body corporate and may sue and be sued.

SEC. 2. No corporation formed in accordance with the provisions of this act, shall issue stock or borrow money, or hold invested funds, or acquire or hold real estate, except such as may be necessary for the transaction of its business.

SEC. 3. The funds of such corporation shall be derived from assessments upon its members and shall be collected and applied only as prescribed in its constitution and by-laws.

SEC. 4. Such corporation may provide, in its constitution and by-laws, and in its certificates of membership, that each person, upon becoming a member of such society, shall pay an equal and stipulated sum, into its mortuary fund, to be

deposited in a savings or other bank, and that such fund so accumulated, with its own earnings, shall constitute the amount of benefits to be paid to the beneficiary or beneficiaries of the member first dying, and that upon the death of a member, a new mortuary fund shall be created by a like assessment upon each of said members remaining and each new member upon becoming a member, so that the amount of death benefits to be paid by such society shall be governed by the number of members in good standing, and the amount earned by such fund, so deposited in such bank.

SEC. 5. Every such corporation shall, when by him requested to do so, and upon blanks, by him furnished, report to the Insurance Commissioner, all facts concerning its business, which he may require, and shall be subject to the supervision of said commissioner, according to the provisions of sections fifteen and twenty-two of act one hundred eighty-seven of the public acts of eighteen hundred eighty-seven, so far as the same may be applicable and not in conflict with the provisions of this act.

Report to
Insurance
Commissioner.

SEC. 6. Any society, coming within the purview of this act, that may have heretofore become incorporated under and by virtue of any other law, may secure the benefits and provisions of this act, by filing in the office of the Secretary of State and also in the office of the county clerk of said Mason county, notice in writing, signed by its president and secretary, of its desire so to do.

Former corpo-
rations may
receive benefit
of this act.

This act is ordered to take immediate effect.

Approved April 30, 1907.

[No. 72.]

AN ACT to regulate the granting of relief to and the admission of certain poor persons to the asylums and almshouses, and to provide for collecting the expense of the temporary care and transportation of such persons, and to repeal all acts or parts of acts inconsistent herewith.

The People of the State of Michigan enact:

SECTION 1. Any poor person who is incompetent to earn a livelihood at the time of such person's entry into any county in this State, or becomes so incompetent within one year from the time of such entry, shall not be entitled to admission into any of the State asylums or county asylums or almshouses at the expense of the State or county or to receive any public relief of any nature, when the name of the county or State from whence said person came can be ascertained, excepting such temporary care or relief as such person may need pending his return, as hereinafter provided, to the county where he was last continuously settled for one year.

Persons not
entitled to
admission to
asylums, etc.

Temporary
relief.

Duty of superintendents of the poor.

SEC. 2. The superintendents of the poor, or any of them, of the county in which such person shall have entered, as aforesaid, in which such person may require temporary relief, shall, within ten days after ascertaining the county in which such person shall have been last continuously settled for one year previous to the time of such entry, give notice, in writing, to the superintendents of the poor of such county, which said notice shall be substantially in the following form:

Form of notice.

To the Superintendents of the Poor of the county of

Take Notice, That....., a poor person, who was last continuously settled for one year in the county of....., before leaving said county and coming into the county of....., is temporarily in the county of..... and is receiving such relief and care as h... may require on account of h... being such poor person, and will continue to receive such care at the expense of your county; and you are required, forthwith, to cause said poor person to be transported into your own county, pursuant to the provisions of the statute in such case made and provided.

Dated this.....day of....., A. D.....

.....
Superintendent of the Poor of
.....County.

Service of notice.

The said notice may be served by any superintendent of the poor of the county where such poor person may temporarily be as aforesaid, upon the superintendents of the poor of the county in which such poor person was last continuously settled for one year, by delivering said notice personally to any of said superintendents of the poor, or by sending a copy of said notice by registered mail, addressed to the superintendents of the poor of said county, at the county seat of said county; and in any action arising under or by virtue of the provisions of this act, an affidavit of the fact of serving such notice made by the superintendent of the poor making personal service of said notice, as aforesaid, or the affidavit of such superintendent of the poor of the fact of registering and mailing said notice, accompanied by the postoffice receipt for such registered letter and a true copy of the notice enclosed in said letter, shall be sufficient proof of such service.

Proof of service.

Denial of liability by superintendents of poor.

SEC. 3. It shall [be] the duty of the superintendents of the poor, or any of them, of the county sought to be charged with the care, relief, support and return transportation of poor persons by means of the notice required in section two of this act, if they, or any of them, shall deem their county not legally responsible for the care, relief, support and return transportation of such poor persons, to serve a

denial of liability, in writing, upon the superintendent of the poor from whom notice was received in accordance with the provisions of section two of this act, within ten days after the date of service of such notice, which said denial shall be substantially in the following form:

To the Superintendents of the Poor of the County of: Notice of denial of liability.

Take Notice, That the county ofhereby denies any and all liability of every name and nature for the care, relief, support and return transportation of, the poor person mentioned in a certain notice dated the.....day of.....A. D.,....., from....., superintendent of the poor of.....county, and served on the superintendents of the poor of.....county on the.....day of....., A. D.,.....

Dated this..... day of..... A. D.,

.....
Superintendent of the Poor of
.....County.

Which said denial, in writing, shall be served and proof of such service shall be made in like manner as provided in section two of this act. And in case of service of said denial of liability, as aforesaid, such poor person shall not be transported to said county sought to be charged with the liability for his care, relief, support and return transportation, as aforesaid, until such liability shall be determined by some circuit court within the State; but if such written denial shall not be served on the superintendents of the poor of the county where such poor person or persons may temporarily be, as aforesaid, in the time and in the manner aforesaid, then the county sought to be charged with the care, relief, support and return transportation of such poor person shall be forever barred from denying liability for the expense of the care, relief, support and return transportation furnished pursuant to the notice served in accordance with the provisions of section two of this act. Service of notice.

When barred from denial of liability.

SEC. 4. If, after receiving the notice prescribed in section two of this act, the superintendents of the poor of the county served with such notice shall not, within twenty days, transport the poor person described in said notice to said county, then it shall be the duty of the superintendents of the poor of the county serving the notice prescribed in section two of this act to forthwith transport such poor person into the custody of the superintendents of the poor of the county upon which the notice prescribed in section Transportation of poor persons.

Itemized statement of expenses by county giving temporary relief.

Action for recovery of expenses.

Action, where instituted.

Service of process.

Recovery of amount expended, in certain counties.

Liability of superintendent of poor.

Payment of expenses for non-residents of state.

two of this act was served as aforesaid. And the superintendents of the poor of the county furnishing temporary care, relief, support and return transportation, in accordance with the provisions of section one of this act and serving notice as required in section two of this act, shall, within thirty days after furnishing such temporary care, relief, support and return transportation, present to the superintendents of the poor of the county upon which such notice was served, in accordance with the provisions of section three of this act, a sworn itemized statement of the expenses incurred in the temporary care, relief, support and return transportation of such poor person, to the superintendents of the poor of the county upon which notice was so served, and if said bill is not allowed within thirty days after being presented as aforesaid, the superintendents of the poor presenting such bill may institute an action at law, in their own name, in any circuit court within this State, against the superintendents of the poor of the county neglecting or refusing to allow such bill, for the recovery of the same, with interest from the date of presentation as aforesaid.

SEC. 5. Any action instituted by the superintendents of the poor of any county in this State, to recover the cost of furnishing temporary care, relief, support and return transportation to any poor person, shall be commenced in the circuit court in the county where such care, relief, support and return transportation was furnished, and service of process in such cases may be made by any officer authorized by law to serve the processes of courts of like jurisdiction in any county in this State, upon any one of the superintendents of the poor against whom such action is brought, and such service and return thereof in accordance with law shall give the court in which such action is commenced full jurisdiction to hear and determine such cause, in like manner as if served upon all said superintendents of the poor in the county where such action was commenced.

SEC. 6. In those counties where the distinction between county and township poor exists [exists], the amount expended in any case where such poor person has a settlement in any township in the county, may be charged up to and recovered from such township by the superintendents of the poor for the county in which said township is situated, who have been required, under the provisions of this act, to audit, allow and pay the account for temporary care, relief, support and transportation of such poor person.

SEC. 7. No superintendent of the poor, acting under the provisions of this act, in taking into custody, relieving, supporting or transporting any poor person as herein provided, shall become liable to any action or prosecution for illegal arrest or false imprisonment.

SEC. 8. If any such person belongs to another state and has come from outside the State, the superintendents of the

poor of the county, the medical superintendent of the asylum, or the superintendent of the poor of any city where such person may be, shall furnish transportation and necessary attendance in their discretion to such person, and the expense of the same shall be allowed by the State Board of Auditors and paid by the State on properly attested vouchers from the said superintendents of the poor, medical superintendent or the superintendent of the poor of any city.

SEC. 9. All acts or parts of acts contrary to the provisions of this act are hereby repealed. Repealing clause.

Approved May 2, 1907.

[No. 73.]

AN ACT making appropriations for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, for the purpose of promoting the horticultural interests of the State and the editing and compiling of the reports of the Michigan State Horticultural Society, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the use of the Michigan State Horticultural Society for the fiscal year ending June thirty, nineteen hundred eight, the sum of one thousand five hundred dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of one thousand five hundred dollars. Appropriation.

SEC. 2. The moneys appropriated by this act shall be paid by the State Treasurer upon the warrant of the Auditor General. The accounts of the Society shall be made upon forms of vouchers furnished by the Auditor General, shall be fully itemized, and shall show that the disbursements were for the purposes prescribed in this act. Said accounts shall be certified as correct by the president and secretary of the Michigan State Horticultural Society. How paid.

SEC. 3. The moneys hereby appropriated may be used by the officers of the Michigan State Horticultural Society for procuring lectures, employing scientists or experts to investigate the diseases and insect enemies of trees, vines, plants or fruit, to determine and promulgate the best method of preventing or destroying said diseases and insects, or in such other manner as in the judgment of said board will best promote the horticultural interests of the State; also in the work of collecting material, securing cuts for illustrations, and in preparation of the copy of the reports of said society for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine. How used.

Tax clause.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of fifteen hundred dollars, and for the year nineteen hundred eight, fifteen hundred dollars, which, when collected, shall be credited to the general fund to reimburse the same for the moneys hereby appropriated.

This act is ordered to take immediate effect.

Approved May 2, 1907.

[No. 74.]

AN ACT to amend sections one, two, three and four of act number two hundred of the public acts of nineteen hundred five, entitled "An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same."

The People of the State of Michigan enact:

Sections amended.

SECTION 1. Sections one, two, three and four of act number two hundred of the public acts of nineteen hundred five, entitled "An act to provide for the compulsory education of children, for penalties for failure to comply with the provisions of this act, and to repeal all acts or parts of acts conflicting with the provisions of the same," are amended to read as follows:

Children of certain ages to attend school.

SEC. 1. Every parent, guardian or other person in the State of Michigan having control and charge of any child between the ages of seven and sixteen years, shall be required to send such child to the public schools during the entire school year, and such attendance shall be continuous and consecutive for the school year fixed by the district in which such parent, guardian, or other person in parental relation may reside: *Provided*, That in the following cases children shall not be required to attend the public schools:

Proviso, exceptions.

(a) Any child who is being taught in a private or parochial school in such branches as are usually taught in the public schools to children of corresponding age, or who, upon the completion of the work in such schools, shall present satisfactory evidence to the county commissioner of schools, and, in appropriate cases, to the superintendent of schools, that he has completed sufficient school work to entitle him to an eighth grade diploma;

(b) Any child who has received an eighth grade diploma from the public schools;

(c) Any child who is physically unable to attend school. If the truant officer is notified of the non-attendance of any

child at school and he shall find the one in parental control claiming that such child is physically unable to attend school, the truant officer may secure a written statement of a competent physician, certifying that such child is physically unable to attend school;

(d) Children over fourteen years of age whose services are essential to the support of their parents may be excused by the county commissioner of schools or city superintendent of schools from attendance at school on the recommendation of the board of education of the district in which such children reside, and said board shall certify to the officers herein mentioned the facts in all such cases;

(e) Children under nine years of age, whose parents do not reside within two and one-half miles, by the nearest traveled road, of some public school: *Provided*, That if transportation is furnished for pupils in said district then this exemption shall not apply;

(f) Any child twelve to fourteen years of age while in attendance at confirmation classes conducted for a period of not to exceed five months in either of said years.

SEC. 2. The sheriff in each county shall select a person of good moral character to act as truant officer for the county. The person so selected shall file with the county clerk his acceptance and oath of office, and a bond in the sum of one thousand dollars, with two sufficient sureties, to be approved by the county clerk. The person so selected shall be known as the county truant officer, and he shall have all of the powers of a deputy sheriff, and he shall perform the duties of truant officer in all school districts of the county when directed to do so by the sheriff, except as hereinafter provided: *Provided*, That in cities having a duly organized police force, it shall be the duty of the police authorities, at the request of the board of education, to detail one or more members of such police force to perform the duties of the truant officer in such city, but this provision shall not be construed as prohibiting such board of education from appointing any citizen, not a police officer, as truant officer: *Provided further*, That in graded school districts the board of education shall have authority to appoint one or more truant officers and fix the compensation of the same, said compensation to be paid by the district: And *Provided further*, That in all townships of the Upper Peninsula organized as township unit districts, the board of education of such township shall have authority to appoint one or more truant officers for said township and fix the compensation for such service, said compensation to be paid from the proper funds of such school district. For all townships of the Upper Peninsula not organized as township unit districts the county truant officer appointed as herein prescribed shall act: *Provided*, That if in any graded district or township the board of education does not appoint a truant officer, the county

Truant officer, sheriff to appoint.

To file bond, etc.

Officer, how known, duties.

Proviso, in cities having police force.

Proviso, in graded school districts.

Further proviso, township unit districts in U. P.

Proviso, when county truant officer to act.

Officers to give bonds, where filed, etc. truuant officer shall act in such district or township. The truuant officers herein provided for in cities, graded school districts and township unit districts shall give bonds to the board of education in the sum of five hundred dollars, said bonds to be approved by the board of education and filed with said board, and such officers shall have, within their jurisdiction and while in the performance of the duties of truuant officer, the powers of a deputy sheriff. The compensation of the county truuant officer shall be three dollars per day for every day actually engaged in the discharge of his duties and actual expenses, and all bills for such service shall be certified by the sheriff. In cities, when the board of education appoints a truuant officer other than a police officer, said board shall fix the compensation for such truuant officer and pay such officer from the incidental fund. The compensation and actual expenses of the county truuant officer shall be allowed and paid in the same manner as the compensation of other county officers is allowed and paid by the county; and when the police authorities detail one or more members of the force as truuant officers, they shall receive such compensation and actual expenses for such service as the board of aldermen or police commission may determine, and be paid from the same fund as the police authorities are usually paid: *Provided*, That this act shall not be so construed as to affect any existing appointment.

Compensation, how paid, etc.

Proviso.

Census list, etc., director to furnish teacher.

Duty of teacher.

Superintendent of schools, when and by whom furnished census, duty.

SEC. 3. (a) It shall be the duty of the school director of all school districts, except in city, graded and township districts, to provide the teacher, at the commencement of the school, with a copy of the last school census, together with the name and address of the persons in parental relation, also address of the county commissioner of schools. The teacher shall, at the opening of school and at such other times as may be necessary, compare said census list with the enrollment of the school and report to the county commissioner of schools the names of the parents or other persons in parental relation whose children of the ages hereinbefore mentioned are not in regular attendance at school, also the names of parents or other persons in parental relation who have children of school age not included in such census and who do not attend school;

(b) In all city graded and township districts, the secretary of the board of education shall, at the commencement of school, furnish a copy of the last school census to the superintendent of schools in such city, together with the name and address of the truuant officer under whose jurisdiction they act, and it shall be the duty of said superintendent, at the opening of school, to compare said census list with the enrollment of the school or schools and, from time to time, as it may be necessary, report to the proper truuant officer the names and addresses of any parents or other persons in parental relation whose children of the ages herein-

before mentioned are not in regular attendance at the public schools, also names of parents or others in parental relation whose children are not in school and whose names are not included in such census;

(c) It shall be the duty of the truant officer of the city or district, whenever notified by the teacher, superintendent or other person or persons of violations of this act, and the county truant officer, when notified by the commissioner of schools, to investigate all such cases of truancy or non-attendance at school, and if the children complained of are not exempt from the provisions of this act under the conditions named in section one, then he shall immediately proceed as is provided in section four of this act;

Truant officers, duty of.

(d) In case any parent or other person in parental relation shall fail to comply with the provisions of this act he shall be deemed guilty of a misdemeanor and shall, on conviction thereof, be fined not less than five dollars nor more than fifty dollars, or imprisoned in the county or city jail for not less than two nor more than ninety days; or both such fine and imprisonment in the discretion of the court.

Violation a misdemeanor.

SEC. 4. (a) It shall be the duty of the county commissioner of schools to furnish the truant officer of the county, at the opening of the schools, with a list of the teachers and superintendents employed in his county in school districts other than in such city graded and township districts as are described in section two of this act;

Co. Com. of schools, duty of, as to lists, etc.

(b) In case any parent or other person in parental relation shall fail to send the child or children under his or her control to the public school, the truant officer, upon having notice from proper authority of such fact, shall immediately, and within twenty-four hours thereafter, give formal written notice, in person or by registered mail, to the parent or other person in parental relation, that the child or children under his or her control shall present himself or themselves at the public school on the day following the receipt of such notice, with the necessary text-books for instruction in the proper school or schools of the district or city. Said notice shall inform the parent or other person in parental relation of the date that attendance must begin and that such attendance at school must be continuous and consecutive during the remainder of the school year as taught in the district. The truant officer shall, at the same time the said formal notice is given to the parent or person in parental relation, notify the teacher or superintendent or commissioner of the fact of notice, and it shall be the duty of the teacher or superintendent or commissioner to notify the truant officer of failure on the part of the parent or other person in parental relation to comply with said notice;

When truant officer to send notice to parents.

What to state.

Notice to teacher, etc., duty.

(c) It shall be the duty of all truant officers, after having given the formal notice hereinbefore described, to determine whether the parent or other person in parental relation

Complaint, when and by whom made.

Justice to is-
sue warrant,
hear case, etc.

Proviso,
recorder's
court.

Officers,
teachers, etc.,
to aid truant
officer.

has complied with the notice, and in case of failure to so comply he shall immediately, and within three days after having knowledge or being notified thereof, make a complaint against said parent or other person in parental relation having the legal charge and control of such child or children, before a justice of the peace in the city, village or township, or adjoining township, where such party resides, for such refusal or neglect to send such child or children to school; and said justice of the peace shall issue a warrant upon said complaint and shall proceed to hear and determine the same in the same manner as is provided by statute for other cases under his jurisdiction, and in case of conviction of any parent or other person in parental relation for violation of this act, said parent or other person in parental relation shall be punished according to the provisions of section three of this act: *Provided*, That in cities having a recorder's court and justices of the peace, the truant officer shall make the aforesaid complaint before the magistrate of said recorder's court, or before the justice of the peace, and said magistrate or justice shall issue a warrant and proceed to hear and determine the case in the same manner as is provided in the statute for other cases under his jurisdiction;

(d) It shall be the duty of all school officers, superintendents, teachers or other persons to render such assistance and furnish such information as they may have at their command to aid such truant officer in the performance of his official duty.

This act is ordered to take immediate effect.

Approved May 2, 1907.

[No. 75.]

AN ACT to detach the county of Lenawee from the first judicial circuit, and to form a judicial circuit therefrom, to be known as the thirty-ninth judicial circuit.

The People of the State of Michigan enact:

Thirty-ninth
judicial
circuit.

SECTION 1. The county of Lenawee is hereby detached from the first judicial circuit and is hereby constituted a judicial circuit, to be known as the thirty-ninth judicial circuit.

Election and
term of office
of judge.

SEC. 2. At a special election hereafter to be called by the Governor in the year nineteen hundred seven, there shall be elected a circuit judge for the thirty-ninth judicial circuit, whose term of office, when elected, shall extend to the next regular election for judges of the circuit court, as provided by section twenty of article six of the constitution of this State, or until his successor is duly elected and qualified.

SEC. 3. The inspectors of election in the several townships and wards within the territory comprising the thirty-ninth judicial circuit are hereby required to prepare for and receive all ballots that shall be offered at such election for circuit judge, in like manner as required by law for the preparation and reception of ballots for elective county officers.

Duty of
inspectors of
election.

SEC. 4. The Secretary of State shall, immediately after the passage of this act, transmit to the sheriff of the county included within the thirty-ninth judicial circuit of this State, a notice in writing, containing a brief statement of the contents of this act, and he shall cause a copy of this act to be published in such newspapers within the thirty-ninth judicial circuit as he may deem proper, at least once prior to the election aforesaid.

Duty of
Secretary of
State.

SEC. 5. The sheriffs of the several counties, on receiving the notice hereby provided for, shall forthwith, in writing, notify the township clerk of each township, and one of the inspectors of election of each ward in any city, of such election; and it shall be the duty of the township clerks and inspectors of election receiving said notice, to give five days notice in writing, under their hands respectively, to the electors of the township or ward, of the time and place of holding such election, by posting the same up in at least three public places in the township or ward.

Duty of sheriff
and township
clerks.

SEC. 6. The election provided for by this act shall be conducted in the same manner as by existing laws is provided for the holding of a general election; and the inspectors of elections shall make the same canvass, statement and returns, and they are hereby invested with the same powers and authority as are provided by the election laws of this State for a general election.

Election, how
conducted.

SEC. 7. The canvass of the returns of the election for circuit judge as hereinbefore provided, shall be conducted by the same officials at like time and in like manner as provided for canvass of the returns at the regular election of circuit judges under the laws of this State. The circuit judge elected under the provisions of this act shall enter upon the discharge of his duties on the first day of May immediately succeeding his election.

Canvass of
returns

When judge
to enter upon
discharge of
duties.

SEC. 8. The circuit judge of the first judicial circuit shall have power to settle bills of exception, sign and grant decrees, decide and determine cases now submitted to him and to do all judicial acts in any case now submitted to him, the same as if the act creating the thirty-ninth judicial circuit had not been passed.

Power of
judge of first
circuit.

Approved May 2, 1907.

[No. 76.]

AN ACT for the protection of fish in Saginaw river, Saginaw bay, within certain territory at the mouth of Saginaw river, the Tittabawassee, Shiawassee, Cass, Flint and Bad rivers, and all rivers, streams, creeks and bayous tributary to said rivers, and to repeal act number one hundred seventy-eight of the public acts of nineteen hundred five, and all acts and parts of acts contravening the provisions of this act.

The People of the State of Michigan enact:

What deemed
unlawful
fishing.

SECTION 1. It shall be unlawful for any person or persons to intentionally take, catch or kill, or attempt to take, catch or kill any fish at any time with Indian cockle, dynamite, giant powder or any explosive substance, or with any kind of net, except minnow net, not to exceed nine square feet in size, or by any other means or device whatever, except with spear or hook and line, in Saginaw river, Saginaw bay, within a radius of one-half mile from the outer range light at the mouth of Saginaw river, extending northerly about two and one-half miles to gas buoy, thereby maintaining an open channel one mile wide by about two and one-half miles long, the Tittabawassee river, Shiawassee river, Cass river, Flint river and Bad river, or in any of the rivers, streams, creeks and bayous tributary to said rivers: *Provided*, That all nets shall be set at an angle of not less than forty degrees easterly on the east side of said channel, and at an angle of not less than forty degrees in a westerly direction from the west side of the said channel above described.

Proviso as to
nets.

Amount of
catch, limited.

SEC. 2. It shall not be lawful for any person in any one day to take or catch with spear or hook and line any fish from any of the rivers, streams, creeks and bayous, or part of Saginaw bay specified in section one of this act, in excess of twenty-five pounds, except carp, or one fish exceeding that weight.

Sale limited.

SEC. 3. It shall be unlawful for any person or persons to take, catch or capture, by any means whatever, for the purpose of sale or to ship for the purpose of sale, any fish from the rivers, streams, creeks, bayous or part of Saginaw bay specified in section one of this act, in excess of twenty-five pounds, except carp or one fish exceeding that weight.

Unlawful
possession of
fish, nets, ex-
plosives, etc.

SEC. 4. It shall not be lawful for any person or persons to have in his or their possession on the water of any of said rivers, streams, creeks and bayous or part of Saginaw bay specified in section one of this act, or within one-half mile inland from the shores thereof, any net, except minnow net, not to exceed nine square feet in size, Indian cockle, dynamite, giant powder or any explosive substance, or more than twenty-five pounds of fish for each person, except carp or one

fish exceeding that weight: *Provided*, It shall be lawful for any person or persons to have in his or their possession fish in excess of said weight caught from other waters than mentioned in section one of this act or to use said waters as a highway for transporting dynamite, giant powder, or other explosive substances, nets, Indian cockle, or fish caught in other waters as aforesaid, or to have in his or their possession said explosives, nets or Indian cockle for the purpose of sale in the usual line of trade, or for any other lawful use or purpose.

Proviso,
exceptions.

SEC. 5. Any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof for the first offense shall be punished by a fine of not less than twenty-five dollars and not exceeding one hundred dollars, together with the costs of prosecution, or by imprisonment in the county jail not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court; and for the second or any subsequent offense shall, upon conviction, be punished by a fine not less than fifty dollars and not exceeding two hundred dollars, together with the costs of prosecution, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment in the discretion of the court, and in all cases where a fine and costs are imposed the court shall sentence the offender to be confined in the county jail until such fine and costs are paid, for a period not exceeding the maximum jail penalty provided for such offense.

Penalties,
first offense.

Second
offense.

SEC. 6. In all prosecutions under this act it shall be prima facie evidence on the part of the people of its violation to show that the defendant or defendants were found upon any of the waters of said rivers, streams, creeks, bayous or part of Saginaw bay or within one-half mile inland from the shores thereof, with a net, except minnow net not exceeding nine square feet in size, Indian cockle, dynamite, giant powder, or any explosive substance, or with more than twenty-five pounds of fish, except carp or one fish exceeding that weight.

Prima facie
evidence of
violation.

SEC. 7. For the purpose of this act, the term "hook and line" shall mean any kind of a hook or device upon which hooks are attached, that is fastened to a single line.

"Hook and
line," defined.

SEC. 8. This act shall take effect April one, nineteen hundred eight, and all acts and parts of acts contravening the provisions of this act shall be repealed April one, nineteen hundred eight.

Date of effect,
etc.

Approved May 6, 1907.

[No. 77.]

AN ACT to make an additional appropriation for procuring plans, material and for building and furnishing a State administration building, and for maintaining the same, on the grounds of the Jamestown Ter-Centennial Exposition, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Additional ap-
propriation for
building.

SECTION 1. There is hereby appropriated the sum of five thousand dollars for the fiscal year ending June thirty, nineteen hundred eight, as a supplemental appropriation to the amount appropriated by section seven of "An act to create a commission and define its powers and duties, and to make an appropriation for the purpose of making an historical and industrial exhibit upon the part of the State of Michigan at the Jamestown Ter-Centennial Exposition, to be held on the borders of Hampton Roads, Virginia, in the year nineteen hundred seven, and to provide a tax to meet the same," approved March sixth, nineteen hundred seven, for the purpose of procuring plans, material, building and furnishing a State administration building, and for maintaining the same on the grounds of the Jamestown Ter-Centennial Exposition.

How drawn.

SEC. 2. The money hereby appropriated shall be drawn from the State treasury and disbursed by the Board of Jamestown Ter-Centennial Exposition managers in the same manner as the moneys appropriated by the act approved March sixth, nineteen hundred seven, are to be drawn and disbursed.

Tax clause.

SEC. 3. The Auditor General shall add to and incorporate in the State tax for the year nineteen hundred seven, the sum of five thousand dollars which, when collected, shall be credited to the general fund to reimburse the same for moneys hereby appropriated.

This act is ordered to take immediate effect.

Approved May 8, 1907.

[No. 78.]

AN ACT to amend section three of act one hundred forty-one of the public acts of nineteen hundred five, entitled "An act to provide for the exercise by religious societies of corporate powers for certain purposes."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section three of act one hundred forty-one of the public acts of nineteen hundred five, entitled "An act to provide for the exercise by religious societies of corporate

powers for certain purposes," is hereby amended so that said section shall read as follows:

SEC. 3. Such trustees may have a common seal, and may alter the same at pleasure, and by their corporate name may take into their possession, hold and enjoy all the property, real and personal, purchased for, devised, granted or conveyed to them for the use and benefit of such religious organization; they may also, in such corporate name, sue and be sued in all courts, recover and hold all debts, demands, rights and privileges, and they may sell and convey, mortgage or lease any real estate belonging to such organization or held by them as such trustees. And in every case of the conveyance or incumbrance of real estate, said trustees shall annex to their deed or mortgage a certified copy of the corporate resolution authorizing such conveyance or incumbrance, and such certified resolution may be recorded with such deed or mortgage in the office of the register of deeds of the county where said real estate is situated, and when so recorded such record, or a certified copy thereof made by the register of deeds, shall be received as prima facie evidence of the authority conferred by such resolution in all courts in this State. Such trustees may also, upon the death or resignation of any of their number, fill the vacancy so caused, and the person elected to fill such vacancy shall hold office for the remainder of the unexpired term, or until the organization or association electing the said trustees shall make a new election.

May hold and convey property, etc.

Certified copy of resolution to be annexed to deed, etc.

Vacancy in trustees, how filled.

This act is ordered to take immediate effect.

Approved May 8, 1907.

[No. 79.]

AN ACT to amend an act, entitled "An act amendatory to the several acts in relation to the Wesleyan Seminary at Albion and the Albion Female Collegiate Institute," approved February nine, eighteen hundred fifty-seven.

The People of the State of Michigan enact:

SECTION 1. An act, entitled "An act amendatory to the several acts in relation to the Wesleyan Seminary at Albion and the Albion Female Collegiate Institute," approved February nine, eighteen hundred fifty-seven, is hereby amended to read as follows:

SEC. 1. Charles M. Ranger, Eugene Allen, John G. Brown, William Dawe, James H. Simpson, John Graham, E. J. Phelps, Albert Beebe, Edward N. Parsons, Thomas

Trustees, classification, body corporate, etc.

Cox, Charles W. Baldwin, Frank P. Glazier, David D. Erwin, Dempster D. Martin and Edward A. Elliott are hereby constituted and continued a body corporate by the name of Albion College, and shall be trustees of said corporation with the classification which now exists in the board of trustees of said Albion College, for the purpose of maintaining and conducting an institution of learning located at the city of Albion in the county of Calhoun in the State of Michigan; and the said Albion College shall be and hereby is vested with all the corporate powers, privileges and rights of the Wesleyan Seminary at Albion and the Albion Female College as heretofore existing, except as hereby changed or altered and with all the corporate property of said previously existing corporations as fully to all intents and purposes as before vested in the said previously existing corporations.

Vacancies, in board of trustees, how filled.

Term.

Certificate of election, where recorded, etc.

Election of trustee by Alumni Association.

Eligibility of graduates.

SEC. 2. The power to fill vacancies occurring in the board of trustees of said Albion College by death, expiration of term of office, or otherwise, is hereby and hereafter vested in the Michigan Annual Conference of the Methodist Episcopal Church and in the Detroit Annual Conference of the Methodist Episcopal Church and in the Alumni Association of said Albion College, so that each of said annual conferences shall elect two trustees in each and every year and shall fill vacancies occurring in the classification belonging to each of said annual conferences to serve for the unexpired term of the person or persons whose places he or they may be elected to fill. Each of said trustees elected for a regular term shall hold his office for the term of three years and until his successor shall be elected. The election in said annual conference shall be by ballot. Each trustee so elected shall receive a certificate of his election from the secretary of the annual conference by which he is elected, and such certificate shall be recorded in the office of the county clerk in the county of Calhoun, State of Michigan. The Alumni Association of said Albion College shall, at its annual meeting in June of each year, elect by such method as the association shall from time to time direct, except as hereinafter provided, one trustee whose election shall be certified by a certificate signed by the secretary of said association, and such certificate shall be recorded as above in the office of the county clerk in the county of Calhoun, State of Michigan. Trustees so elected shall serve for a regular term of three years and said association may elect, for the purpose of filling vacancies, trustees who shall serve for the unexpired term of the vacancy so filled. If any person so elected as a trustee shall be a graduate of said college, in order to be eligible to said office, he shall have graduated at least five years previous to the time of entering upon his said office, and no person graduating from said college shall be qualified to vote at any election of trustees by said alumni until the

year following his graduation, and it shall be understood that no member of the Alumni Association is eligible to vote in the election of said trustees except graduates of the College of Liberal Arts.

SEC. 3. The said trustees shall have power to make by-laws for their own government and for the government of the institution; to elect or appoint the faculty or board of instruction of said college; to prescribe the course of study; to attend the examinations of the classes; to regulate the government and instruction of students and manage the affairs of said corporation in such manner as they think best calculated to promote and carry out the objects contemplated in this act. They shall have power to confer the bachelor's degree upon such persons as shall have completed satisfactorily to the faculty and said trustees the course of study prescribed. They shall have power to confer the master's degree on such graduates of Albion College or of other institutions of similar grade as they shall judge worthy, and they shall have power, also, to confer such honorary degrees as are usually conferred by colleges and universities and shall have all other powers and privileges belonging to colleges according to the laws of this State: *Provided always,* That the course of study for graduation shall be equal to that which is required in the University of Michigan.

Power of trustees.

Degrees may confer.

Proviso.

SEC. 4. The president of said Albion College shall be elected by the board of trustees and by virtue of his office of president shall be a member of said board of trustees with all the powers and privileges of a trustee, so that the whole number of trustees of said college as herein provided shall be sixteen and no more, except as herein provided. A majority of the trustees shall constitute a quorum for the transaction of business.

President of college, election of, member of board.

SEC. 5. The said corporation shall be capable of suing and being sued and receiving by gift, will or bequest, property, real and personal, and of holding and conveying the same. The said corporation shall have power to make and use a common seal, and to alter the same at pleasure.

May receive gifts, have seal, etc.

SEC. 6. This act shall be and hereby is declared to be a public act; no non-user of any of the privileges hereby granted to the said corporation shall create or produce a forfeiture of the same and no misnomer of said corporation in any deed, will, testament, gift, grant, demise or other instrument, contract or conveyance shall defeat or vitiate the same, provided that the corporation be sufficiently described to ascertain the intent.

Provisions not to be vitiated by irregularities.

SEC. 7. When the total number of persons who have graduated from Albion College with the bachelor's degree shall have reached eight hundred, the Alumni Association of said Albion College shall be empowered to elect four trustees instead of three and to keep that number of representatives in

When may increase trustees.

the board of trustees as provided in section two of this act; when the entire number of graduates with the bachelor's degree shall have reached nine hundred, said Alumni Association may, as hereinbefore provided, elect and maintain five representatives in said board of trustees, and when the total number of graduates with the bachelor's degree shall have reached one thousand, then and thereafter said Alumni Association shall be empowered to elect and maintain six trustees, as provided in section two, making the total number of trustees, including the president of the college, nineteen, and no more.

Visitors, who may appoint.

Report of board.

SEC. 8. The Michigan and Detroit Annual Conferences of the Methodist Episcopal Church and the Alumni Association of Albion College shall have the power to appoint visitors to said college, and the Superintendent of Public Instruction for the State may appoint three visitors annually; the board of trustees shall make a full report of the state and condition of said college to the Michigan and Detroit Annual Conferences of the Methodist Episcopal Church and to the Alumni Association at each annual session, and to the Superintendent of Public Instruction of the State, who shall incorporate the same in his annual report or so much thereof as he may deem proper.

Endowment Fund Committee, members, terms, etc.

Compensation.

Treasurer, power, bond, etc.

SEC. 9. A committee is hereby constituted and continued, to be known as the Albion College Endowment Fund Committee, to consist of three persons who shall be chosen or elected by the board of trustees of Albion College, each of whom shall serve for a period of six years from and after the first day of January immediately succeeding the date of his election as a member of said Albion College Endowment Fund Committee, except as provided in section ten hereof. The members of said committee may receive such reasonable compensation for their services as said board of trustees shall allow; all vacancies occurring in said committee shall be filled by said board of trustees. Said committee shall appoint one of their own number treasurer, with power and authority to execute and acknowledge discharges of all liens, mortgages or other securities held by said committee whenever the same shall have been paid in full, and said treasurer shall give to the board of trustees of Albion College a good and sufficient bond to be approved by said board of trustees.

Present members, terms, when to expire.

SEC. 10. The members of said Albion College Endowment Fund Committee as now constituted shall be and are hereby continued, that is to say: The committee shall consist of Samuel Dickie, of Albion, Michigan, whose term of office as a member of said committee shall terminate January first, nineteen hundred ten; Clement Smith, of Hastings, Michigan, whose term of office shall terminate January first, nineteen hundred twelve, and William H. Brace, of Detroit, Michigan, whose term of office shall terminate January first, nineteen hundred fourteen.

SEC. 11. It shall be the duty of said committee to receive all moneys and other property, real and personal, that may be subscribed, collected, donated, devised or bequeathed for the purpose of increasing the endowment fund of said Albion College and to invest the same in such manner as the committee shall deem best, having due regard to the security of the investment as well as to the income derived therefrom, it being intended hereby to charge said committee with the sole management and control of said endowment fund in trust for said Albion College.

Duty, etc., of
Committee as
to moneys.

SEC. 12. It shall be the duty of said committee to report to the board of trustees, semi-annually and at such other times as said board may require, the amount and condition of said fund and the amount of interest which shall have accrued on the same, and to pay over semi-annually the interest so accruing to the said board of trustees, the same to be paid to the treasurer of the board of trustees of Albion College.

Report.

SEC. 13. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealing
clause.

This act is ordered to take immediate effect.

Approved May 8, 1907.

[No. 80.]

AN ACT to amend section twenty-five of chapter two hundred forty-eight of the Compiled Laws of eighteen hundred ninety-seven, entitled "Wills of real and personal estate," being compiler's section nine thousand two hundred eighty-five.

The People of the State of Michigan enact:

SECTION 1. Section twenty-five of chapter two hundred forty-eight of the Compiled Laws of eighteen hundred ninety-seven, entitled "Wills of real and personal estate," being compilers' section nine thousand two hundred eighty-five, is hereby amended to read as follows:

Section
amended.

SEC. 25. When any child shall be born after the making of his father's or his mother's will and no provision shall be made therein for such child, he or she shall have the same share in the estate of the testator as if the parent had died intestate. And the share of such child shall be assigned to him as provided by law in case of intestate estates, unless it shall be apparent from the will that it was the intention

Provision for
children born
after making
of will.

of the testator that no provision should be made for such child.

Approved May 8, 1907.

[No. 81.]

AN ACT for the protection of boarding house keepers.

The People of the State of Michigan enact:

Unlawful to
defraud
boarding
house keepers.

Penalty.

What deemed
prima facie
evidence.

SECTION 1. Any person who shall stop, put up, board or lodge at any boarding house as a guest or boarder by the day, week or month, or shall procure any food, entertainment or accommodation without paying therefor, unless there is a distinct and express agreement made by such person with the owner, proprietor or keeper of such boarding house for credit, with intent to defraud such owner, proprietor or keeper out of the pay for such board, lodging, food, entertainment or accommodation, or any person who, with intent so to defraud, shall obtain credit at any boarding house for such board, lodging, food, entertainment or accommodation, by means of any false show of baggage or effects brought thereto, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment in the county jail not exceeding thirty days or by fine not exceeding one hundred dollars, or by both such fine and imprisonment in the discretion of the court.

SEC. 2. Proof that board, lodging, food, entertainment or accommodation was obtained by false pretense or by false or fictitious show or pretense of baggage, or that the person refused or neglected to pay for such board, lodging, food, entertainment or accommodation on demand, or that he absconded or left the premises without paying or offering to pay for such board, lodging, food, entertainment or accommodation, or that he surreptitiously removed or attempted to remove his baggage, shall be prima facie proof of the fraudulent intent mentioned in section one of this act.

This act is ordered to take immediate effect.

Approved May 8, 1907.

[No. 82.]

AN ACT to amend sections one, two, six, seven, twenty, twenty-one and twenty-two, as amended, of act number one hundred forty-nine of the public acts of eighteen hundred ninety-three, entitled "An act to provide for a county and township system of roads and to prescribe the powers and duties of the officers having the charge thereof;" to amend section twenty-five of said act as added by act number ninety-six of the public acts of eighteen hundred ninety-five; to amend sections twenty-six and twenty-seven of said act as added by act number two hundred thirty of the public acts of eighteen hundred ninety-five; to amend and renumber sections twenty-five and twenty-six of said act as added by act number one hundred of the public acts of eighteen hundred ninety-seven; to amend section thirty of said act as added by act number seventy of the public acts of nineteen hundred five, and to add one new section to said act to stand as section number thirty-one.

The People of the State of Michigan enact:

SECTION 1. Sections one, two, six, seven, twenty, twenty-one and twenty-two, as amended, of act number one hundred forty-nine of the public acts of eighteen hundred ninety-three, entitled "An act to provide for a county and township system of roads and to prescribe the powers and duties of the officers having the charge thereof," are hereby amended; section twenty-five of said act as added by act number ninety-six of the public acts of eighteen hundred ninety-five is hereby amended; sections twenty-six and twenty-seven of said act as added by act number two hundred thirty of the public acts of eighteen hundred ninety-five, are hereby amended; sections twenty-five and twenty-six of said act as added by act number one hundred of the public acts of eighteen hundred ninety-seven are hereby amended and renumbered to stand as sections twenty-eight and twenty-nine; section thirty of said act as added by act number seventy of the public acts of nineteen hundred five is hereby amended; one new section, to stand as section number thirty-one is hereby added to said act; said amended and added sections to read as follows:

SEC. 1. On petition of not less than ten freeholders residing in each of the several organized townships, incorporated villages and cities, of any county, or upon a majority vote of the members of the board of supervisors, the board of supervisors of such county shall submit the question of adopting the county road system to a vote of the electors of such county. The said board of supervisors may submit the question at a general or special election called for that purpose, but they shall submit it not later than at the next general

Sections amended, re-numbered and added.

Question, submission of.

Resolution,
form of.

election. The following form of resolution shall be sufficient for submitting the question, viz.: "Resolved, that the question of adopting the county road system be submitted to a vote of the electors of the county of..... at (the general or special election) to be held on the day of, nineteen hundred" If a special election is to be called, a clause added to the resolution in form following shall be sufficient for that purpose, viz.: "And a special election is hereby called to be held in the several townships and wards of said county on the day last aforesaid, for the purpose of taking such vote."

Time to
elapse before
election.

Notice, by
whom given,
etc.

SEC. 2. At least three weeks shall intervene between the adoption of the resolution by the board of supervisors and the time of holding such election. After the adoption of the resolution by the board of supervisors, the county clerk shall give notice thereof. Such notice shall be addressed to the electors of the county and shall set forth the action of the board of supervisors together with a copy of the resolution, and shall further give notice that said question will be stated upon the ballot to be used at said election, as follows:

Form of ballot.

"Shall the county road system be adopted by the county of?" Said notice may be in the form following, viz.:

"To the electors of the county of.....

"Notice is hereby given that at a meeting of the board of supervisors of said county, held on the day of.....19...., the following resolution was adopted, viz.: (here set forth the resolution).

"Notice is further given that said question will be stated on the ballots to be used at said election, as follows: 'Shall the county road system be adopted by the county of.....?'"

"Dated.....

".....

"Clerk of the County of"

County road
commissioners,
when elected,
number, etc.

SEC. 6. In any county where the county road system shall be adopted, a board of county road commissioners, not exceeding three in number, shall be elected by the people of such county. The number of county road commissioners shall be fixed by the board of supervisors. In the first instance such commissioners shall be appointed by the board of supervisors or elected at a general or a special election called for that purpose, as shall be ordered by the board of supervisors. If such commissioners are appointed, they shall hold office only until the general election held on the first Monday in April then next following, at which time their successors shall be elected. If such commissioners are to be elected at a general election, notice thereof, embodying a copy of the resolution of the board of supervisors, giving the number and terms of office of the commissioners to be elected, shall be published by the clerk in the newspaper or newspapers

Notice of
election.

selected by the board of supervisors, as required by section three of this act; if a special election is called for the election of such commissioners a like notice shall be given by the clerk, which notice shall be posted and published in such newspapers as required by section three. In the month of March in each year thereafter in which a county road commissioner is to be elected, the county clerk shall give notice that a county road commissioner is to be elected at the following election, to be held on the first Monday of April, and shall publish the same in a newspaper or newspapers in manner aforesaid: *Provided*, That in the counties of Wayne and Mason the election of county road commissioners shall be held at the general election on the first Tuesday after the first Monday in November, and notice thereof shall be given at the time notice is given of the general election.

When elected.

Proviso,
Wayne and
Mason
counties.

SEC. 7. Any person elected or appointed county road commissioner shall, within ten days after being notified in writing by the clerk of such county, of his election or appointment, take and subscribe the constitutional oath of office and file the same with said clerk. Each and every county road commissioner shall be required to execute and give official bond in such amount as the board of supervisors of such county may determine, the expense of securing such bond, if any, to be paid from the county road fund. The term of office of the first commissioners elected in any county under this act, shall commence immediately upon filing such oath of office, and shall continue as hereinafter provided. The successor to each such commissioner shall be elected in the year in which a regular session of the legislature is held, on the first Monday in April preceding the expiration of his term. If the number of such commissioners shall be fixed at one, he shall hold office for the term of two years from the first day of May in the year of his election and a successor shall be biennially elected. If the number of such commissioners be so fixed at two, they shall hold office for two and four years respectively from said first day of May, and thereafter one commissioner shall be biennially elected for the full term of four years. If the number of such commissioners shall be so fixed at three, they shall hold office for two, four and six years respectively from the said first day of May, and thereafter one commissioner shall be biennially elected for the full term of six years. No member of the board of supervisors shall be eligible to the office of county road commissioner, and such offices shall not be held by the same person at the same time: *Provided*, That the board of supervisors of any county where the county road system has been adopted and the number of road commissioners has been fixed by the board of supervisors at a greater number than one, may reduce the number, and in case of a reduction in number as aforesaid no successors shall be elected to those commissioners whose terms shall soonest expire until the

Commissioner
to take and file
oath.

Bond.

Term, when to
begin.

Supervisors
not eligible.

Proviso,
number may
be reduced.

number of commissioners shall be reduced to the number specified by the board of supervisors, and thereafter successors shall be elected for the term hereinbefore provided, depending upon the number to which said board shall have been thus reduced and fixed by the board of supervisors.

When board to
determine tax
needed.

Limit of.

Duty of board
of supervisors.

SEC. 20. On or before the first day of October of each year, said board of county road commissioners shall determine upon the amount of tax which in their judgment should be raised for such year in said county for the purposes aforesaid, specifying and itemizing the roads and parts of roads upon which such moneys are to be expended, stating the amount asked for each of such roads, and shall cause such determination to be entered upon their records. Such tax shall not exceed two dollars on each one thousand dollars of assessed valuation of such county according to the assessment roll of the last preceding year, except in counties where the privilege of a greater tax has been granted by the legislature, and in the counties of Wayne, Kent and Houghton it shall not exceed twenty-five cents on each one thousand dollars of the assessed valuation of the county according to the assessment rolls of the last preceding year. At the annual meeting of the board of supervisors held in October, the county clerk shall lay such determination before the board of supervisors and such board of supervisors shall pass upon the said determination, and if a majority of such board of supervisors shall agree therewith, then such tax shall be apportioned between the several townships and cities of said county according to their equalized valuation. If the determination of the board of county road commissioners shall not meet with the approval of a majority of the board of supervisors then the said board of supervisors shall proceed to decide upon the amount of tax to be raised for such year in such county for the purposes aforesaid, and may allow or reject in whole or in part any or all of the items for the sections of roads thus submitted for its consideration; and it shall not be lawful for such county road commissioners without the consent of such board of supervisors to expend any such moneys upon any other roads than as thus specified, which tax shall not exceed two dollars upon each one thousand dollars of the assessed valuation of the county according to the assessment rolls for the last preceding year, except in counties where the privilege of a greater tax has been granted by the legislature, and which tax shall not be less than one dollar upon each one thousand dollars of such valuation, except by a two-thirds vote of all the members elect of said board of supervisors. In the counties of Wayne, Kent and Houghton the tax shall not exceed twenty-five cents on each one thousand dollars of assessed valuation, according to the assessment rolls for the last preceding year. After the said board of supervisors shall have decided upon the amount of tax to be raised, the said board shall thereupon

Tax in Wayne,
Kent and
Houghton
counties.

Apportion-
ment by
board.

apportion such tax between the several townships and cities of said county according to their equalized valuation. The supervisors or other assessing officers in such townships and cities shall levy and apportion the taxes so apportioned as provided in this section, to their respective townships and cities, upon the tax rolls of such townships and cities respectively, upon which the county taxes are assessed. The taxes so assessed shall be collected and paid to the county treasurer, the same as other county taxes. All the provisions of law relating to the assessment, levy, collection and return of county taxes and the sale of property delinquent therefor, shall apply to taxes to be raised pursuant to this act. The county treasurer shall keep a separate account of the taxes collected and moneys received under this act, and shall pay the same out only upon the order of such board of county road commissioners and upon warrants signed by the chairman and countersigned by the clerk of the board. In counties having a county auditor, or board of county auditors, the warrants shall pass through the hands of such county auditors and be further countersigned by them, when payment shall be made thereof by the county treasurer. All moneys raised under the provisions of this act shall be expended by such board of county road commissioners exclusively for the purposes herein mentioned.

Assessing
officers, duty
of.

County treas-
urer, duty of.

Moneys, how
expended.

SEC. 21. Said board of county road commissioners shall have no power to contract indebtedness for any amount in excess of the moneys credited to such board and actually in the hands of the county treasurer: *Provided*, That the board may incur liability upon contracts, after a tax is voted, to an amount not exceeding three-fourths the said tax. It is hereby made the duty of the counties to keep in reasonable repair, so that they shall be reasonably safe and convenient for public travel, all county roads, bridges and culverts that are within their jurisdiction and under their care and control and which are open to public travel. The provisions of law respecting the liability of townships, cities, villages and corporations for damages for injuries resulting from a failure in the performance of the same duty respecting roads under their control, shall apply to counties adopting such county road system. In actions arising thereunder, service shall be made upon the chairman of the board of supervisors or the county clerk of the county made defendant therein, which shall be named in the process as the "county of," and any judgment obtained thereon against such county shall be audited and paid as are other claims against such county.

Indebtedness,
limited.

Proviso.

Counties to
repair roads,
etc.

Liability of
townships, etc.

Judgments,
how paid.

SEC. 22. Whenever the board of supervisors of the county by a majority vote of all the members elect resolve to contract indebtedness or issue bonds to raise money for the construction and maintenance of county roads, the question shall be submitted to a vote of the electors of the county at

Electors may
vote indebted-
ness.

Notice.	a general or a special election called for that purpose. Notice of the submission of such resolution to a vote of the electors and in case a special election is called, notice of the calling of such special election shall be given in the same manner and for the same length of time as now prescribed by law. If a majority of the electors voting on such resolution shall vote in favor thereof, it shall be deemed to have carried.
Ballots.	The manner of stating the question upon the ballots shall be prescribed by the resolution of the board of supervisors. No bond or evidence of indebtedness shall be negotiated at less than par and the accrued interest. All money raised by the board of supervisors for the construction and maintenance of county roads shall be expended under the direction of the board of county road commissioners.
Accounts to be kept.	SEC. 25. Accurate accounts shall be kept under the direction of the board of all money received and disbursed by it, and a full statement thereof, together with a complete statement in detail, of all work done, right of way acquired, and road constructed by said board shall be made to the board of supervisors of the county at its annual meeting each year.
How audited.	The accounts of said board of county road commissioners shall be reported to and audited by the board of supervisors at each meeting thereof: <i>Provided</i> , That in counties having a board of auditors the accounts shall be audited by the board of auditors of that county, but the said board of auditors shall have no jurisdiction over the expenditure of any portion of the county road fund, further than the mere auditing of accounts.
Proviso.	
When amount from county road fund to equal state reward.	SEC. 26. Any organized township in any county under the county road system in which a county road has not been built within a year, and which shall raise sufficient funds to build a mile or more of State reward road in a year, and shall build the road and receive the State reward thereon, said township shall be entitled to receive the same amount of money from the county road fund as was received in State reward: <i>Provided</i> , That if such township shall not have paid into the county road fund for the year in which such road was built, an amount equal to the amount of State reward received by such township, then the township shall be entitled to receive only as much money from the county road fund as the said township paid therein for that year: <i>Provided further</i> , If any organized township in any county under the county road system shall raise money by tax or by sale of bonds to build more than two miles of road such as merits State reward in a year, and the road is built and approved by the State Highway Commissioner, and this road is kept in as good condition as when approved by the commissioner, such township shall draw each year from the county road fund the same amount as was paid to said township in State reward for that year: <i>Provided</i> , That the amount of county road tax paid into the county road fund by such township
Proviso.	
Proviso, yearly allowance for two miles, etc.	
Proviso, proportionate allowance.	

for that year, shall be equal to the amount of such State reward, and if such township shall not have paid in an amount equal to the amount of State reward, then the township shall be entitled to receive only as much money from the county road fund as the said township paid therein for that year.

SEC. 27. In case any organized township shall decide to build a mile or more of State reward road as provided in section twenty-six of this act, the township board of such township shall file a written notice with the board of county road commissioners through the county clerk, on or before the first day of May in the year in which such road is to be built, stating that it is the intention of such township to build a certain piece or pieces of road, which shall be fully described in such notice, and thereupon the board of county road commissioners shall furnish an engineer or surveyor who shall establish a grade for such road or roads, and shall set grade stakes on each side of the road, not more than one hundred feet apart, to which the grade shall conform. Should a road which the township has decided to improve be a portion of one that the county road board is improving or proposes and intends to improve, then such township shall build such piece of road of such material and of such width as will conform to the proposed plans of such county road board for such road. When the township shall have built a road as above set forth, and the State reward has been received thereon, the township clerk shall notify the board of county road commissioners through the county clerk, and thereupon the said board of county road commissioners shall draw a warrant upon the county treasurer for the amount of money due said township and shall forward such amount of money to the treasurer of such township: *Provided*, That the road shall be completed prior to the fifteenth day of November in the year for which such application was made, in a manner which will merit State reward.

SEC. 28. The board of supervisors of any county which has adopted or may hereafter adopt the county road system, may upon petition of ten freeholders residing in each of the several townships, incorporated villages and cities in the county, submit the question of rescinding the vote by which it was adopted, and the resolution to submit, and all proceedings subsequent thereto, shall, as nearly as may be, follow the forms and manner of proceedings provided for voting on the question of adopting the county road system.

SEC. 29. When any county shall rescind the vote by which it has adopted the county road system, this act shall cease to be operative except for the purpose of completing work under contract at the time of such rescission. The funds then remaining in the county treasury or thereafter paid therein to the credit of the county road tax shall be placed

Township board, duty of.

Engineer, surveyor, etc., who to furnish.

When state reward received, duty of officers.

Proviso, completion.

How may abolish county road system.

When act in-operative.

Disposition of funds.

County roads to revert to townships.	in the general fund of said county. When any county shall have adopted the county road system and such adoption shall have been declared null and void by any court of competent jurisdiction, all moneys remaining in the county road fund, or thereafter placed therein, shall, upon resolution of the board of supervisors, be placed in and become a part of the general fund of such county. All county roads shall revert to the townships, and all highways and bridges shall thereafter be laid out, built and maintained in all respects as though such county had never adopted the county road system.
Not to apply to certain counties.	<p>SEC. 30. None of the provisions of this chapter relative to the election and term of office of county road commissioners shall apply to the county of Marquette, or to any other county in which special provision therefor, has been or may hereafter be made by the legislature. In said county of Marquette the board of supervisors shall appoint a board of county road commissioners who shall possess all the powers and duties of county road commissioners under this act. Such board of county road commissioners in said county shall consist of three members, one of whom shall hold his office for the term of one year, one for the term of two years and one for the term of three years from and after the first day of May, nineteen hundred five, and annually thereafter, prior to the first day of May each year, the board of supervisors shall appoint one commissioner for the term of three years to succeed the commissioner whose term of office shall soonest expire. Such commissioners shall hold their offices until their successors are appointed and qualified. Whenever any vacancy shall occur in the office of county road commissioner in said county the board of supervisors may appoint some qualified person to fill such vacancy for the unexpired term of such office. The board of supervisors may diminish the number of county road commissioners in such county as hereinbefore in this act provided.</p>
Marquette county.	
County road commissioners, term, etc.	
Vacancy.	
Townships under township road plan.	<p>SEC. 31. Any township which may have adopted the township road plan provided for in sections twenty-six and twenty-seven of act number two hundred thirty of the public acts of eighteen hundred ninety-five, as originally set forth, and which has raised money and built roads in good faith, shall continue under such plan until by a majority vote of the electors of such township voting thereon, the township shall abolish such system; and while under such system they shall not, without their consent, be liable to any tax for a county road system, should the county in which such township is situated afterwards adopt the county road system. No township in the State not now in operation under this township system shall adopt it.</p>
Exempt from county road tax.	
Township system not to be adopted.	
Repealing clause.	<p>SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.</p> <p>This act is ordered to take immediate effect.</p> <p>Approved May 8, 1907.</p>

[No. 83.]

AN ACT to amend the title and sections one and two of act number three hundred fifteen of the public acts of nineteen hundred five, entitled "An act permitting the taking and catching of herring in the waters of Lake Michigan bordering on the counties of Mason, Oceana, Muskegon, Ottawa, Allegan, Leelanau, Benzie, Manistee, Berrien and Van Buren, in the State of Michigan, not exceeding a distance of thirty miles from the shore line of said counties, and prescribing the size of mesh of the nets used for that purpose, and repealing all acts and parts of acts inconsistent herewith," approved June seventeen, nineteen hundred five.

The People of the State of Michigan enact:

SECTION 1. The title and sections one and two of act number three hundred fifteen of the public acts of nineteen hundred five, entitled "An act permitting the taking and catching of herring in the waters of Lake Michigan bordering on the counties of Mason, Oceana, Muskegon, Ottawa, Allegan, Leelanau, Benzie, Manistee, Berrien and Van Buren, in the State of Michigan, not exceeding a distance of thirty miles from the shore line of said counties, and prescribing the size of mesh of the nets used for that purpose, and repealing all acts and parts of acts inconsistent herewith," approved June seventeen, nineteen hundred five, are hereby amended to read as follows: An act permitting the taking and catching of herring in the waters of Lake Michigan, Straits of Mackinac and Lake Huron, bordering on the counties of Mason, Oceana, Muskegon, Ottawa, Allegan, Leelanau, Benzie, Manistee, Berrien, Van Buren, Charlevoix, Cheboygan, and Emmet in the State of Michigan, not exceeding a distance of thirty miles from the shore line of said counties, and prescribing the size of mesh of the nets used for that purpose, and repealing all acts and parts of acts inconsistent herewith.

SEC. 1. Hereafter it shall be lawful to take and catch in nets of not less than two and three-quarter inch mesh, herring in any season of the year, in the waters of Lake Michigan, Straits of Mackinac and Lake Huron, bordering on the counties of Mason, Oceana, Muskegon, Ottawa, Allegan, Leelanau, Benzie, Manistee, Berrien, Van Buren, Charlevoix, Cheboygan and Emmet, and not exceeding a distance of thirty miles from the shore line of said counties into said lake.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed so far as they apply to herring fishing in the waters of Lake Michigan, Straits of Mackinac and Lake Huron, bordering on the counties of

Title and sections amended.

Herring, may catch in nets, in Lakes Michigan, Huron, etc.

Repealing clause.

Mason, Oceana, Muskegon, Ottawa, Allegan, Leelanau, Benzie, Manistee, Berrien, Van Buren, Charlevoix, Cheboygan and Emmet, and not exceeding a distance of thirty miles from the shore line of said counties.

This act is ordered to take immediate effect.

Approved May 14, 1907.

[No. 84.]

AN ACT making an appropriation for the Mackinac Island State Park for various purposes for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Appropriation,
general im-
provements.

SECTION 1. There is hereby appropriated from the general fund, to the Mackinac Island State Park fund, the sum of eight thousand dollars for the fiscal year ending June thirty, nineteen hundred eight, and the sum of four thousand dollars for the fiscal year ending June thirty, nineteen hundred nine, from any moneys in the State treasury not otherwise appropriated, to be used for general improvements in and about the Mackinac Island State Park, under the direction and supervision of the Mackinac Island State Park Commission: *Provided*, That the Mackinac Island State Park Commission may obtain money under this section before July one, nineteen hundred seven, in such sums as they may by requisition certify to the Auditor General are necessary for immediate use, which sums, then advanced shall be deducted from the amount appropriated for the fiscal year ending June thirty, nineteen hundred eight, when the appropriation becomes available.

Proviso, when
may obtain.

How paid.

SEC. 2. The appropriation made by section one of this act shall be paid out of the State treasury to the treasurer of the Mackinac Island State Park Commission at such times and in such amounts as the general accounting laws of the State prescribe and the disbursement officer shall render his accounts to the Auditor General thereunder.

Tax clause.

SEC. 3. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of eight thousand dollars, and for the year nineteen hundred eight the sum of four thousand dollars, which when collected shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved May 14, 1907.

[No. 85.]

AN ACT to amend section two of act number three of the public acts of eighteen hundred seventy-three, entitled "An act to provide for the payment of the officers and members of the legislature," as amended by act number one hundred seventy-five of the public acts of nineteen hundred one, being section twelve of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section two of act number three of the public acts of eighteen hundred seventy-three, entitled "An act to provide for the payment of the officers and members of the legislature," as amended by act number one hundred seventy-five of the public acts of nineteen hundred one, being section twelve of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

SEC. 2. From and after the first day of January, nineteen hundred one, the compensation of the president and members of the senate, and the speaker and members of the house of representatives, shall be three dollars per day each, for actual attendance, and when absent on account of sickness during the session of the legislature, and ten cents for every mile actually traveled in going to and returning from the place of meeting on the usually traveled route. Each member of the senate and house of representatives shall be entitled to receive five dollars for stationery and newspapers. The per diem compensation of the secretary of the senate shall be ten dollars; of the first assistant secretary, six dollars; of the second assistant secretary, six dollars; of the financial clerk and secretary's messenger, five dollars; of the proof-reader, six dollars; assistant proof-reader, who shall be a stenographer, five dollars; of the sergeant-at-arms, five dollars; which compensation shall be in full for all services performed during any regular or special session of the legislature, for which they are elected by the senate or appointed by a superior officer. The per diem compensation of the clerk of the house shall be ten dollars; of the journal clerk, seven dollars; of the bill clerk, six dollars; of the reading clerk, six dollars; of the financial clerk, six dollars; of the proof-readers, six dollars; of the sergeant-at-arms, five dollars; which compensation shall be in full for all services performed during any regular or special session of the legislature for which they are elected by the house or appointed by a superior officer. The per diem compensation of the clerks employed with the consent of the senate or house of representatives or by any standing or special committee with the consent of either of said houses, shall be three dollars each for actual attendance during the session; the per diem com-

Section amended.

Compensation of president, speaker, members.

Mileage.

Stationery allowance.

Officers of senate.

Officers of house.

Clerks.

Other employees.

pensation of the janitors of the senate and house of representatives and their authorized assistants, the keeper of the cloak room, and the keeper of the document room, and their authorized assistants, and of the postmaster of the legislature, shall be three dollars; and that of the messengers two dollars for the time actually employed in attendance during the session; and all officers and employes of either house shall receive mileage at the rate of ten cents per mile for every mile actually traveled in coming to and returning from the capitol by the usually traveled route.

This act is ordered to take immediate effect.

Approved May 14, 1907.

[No. 86.]

AN ACT to prevent the killing of deer for a period of five years in the counties of Emmet, Cheboygan, Benzie, Leelanau and Bay.

The People of the State of Michigan enact:

Protection of
deer in
certain
counties.

SECTION 1. For a period of five years from and after the passage of this act it shall be unlawful to kill any deer in the counties of Emmet, Cheboygan, Benzie, Leelanau and Bay, State of Michigan.

Penalty for
violation.

SEC. 2. Any person who shall be found guilty of violating the provisions of section one of this act shall be liable to a fine of not less than twenty-five dollars nor more than one hundred dollars for each deer which he may have killed, or, in default of the payment of such fine, imprisonment in the county jail, or Detroit House of Correction for a period of not more than ninety days, in the discretion of the court.

Approved May 14, 1907.

[No. 87.]

AN ACT to prohibit the spearing of fish in any of the public streams or rivers in certain townships of Van Buren county.

The People of the State of Michigan enact:

Unlawful to
spear.

SECTION 1. It shall hereafter be unlawful for any person to spear or attempt to spear, at any time, any kind of fish, in any of the public streams and rivers in the townships of Paw Paw, Antwerp, Porter, Almena, Pine Grove, Bloomington, Arlington, Lawrence, and Decatur, in the county of Van Buren.

SEC. 2. Any person violating the provisions of this act Penalty. shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten, nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved May 14, 1907.

[No. 88.]

AN ACT to prohibit the taking or catching of fish by any means or device, other than hook and line, in Park lake or in its tributaries in the township of Bath in Clinton county.

The People of the State of Michigan enact:

SECTION 1. It shall be unlawful for any person or persons to take, catch or destroy or attempt to take, catch or destroy by spear, firearms or by any explosive, any species of fish in the waters of Park lake in the township of Bath, in Clinton county, Michigan, or in any outlet or bayou of or other waters connected with or tributary to said lake. Unlawful to use spear, etc.

SEC. 2. It shall be unlawful for any person or persons to take or catch or attempt to take or catch by the use of seines, nets or any means, except by hook and line, any fish other than minnows, for bait, in the aforesaid Park lake or in any outlet or bayou thereof or waters connected with or tributary thereto. Unlawful to fish except with hook and line.

SEC. 3. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not more than one hundred dollars or imprisonment in the county jail for a period not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court. Penalty.

This act is ordered to take immediate effect.

Approved May 14, 1907.

[No. 89.]

AN ACT to prohibit the taking or catching of fish by any means or device, other than hook and line, in the Looking-glass river, or its tributaries in Clinton county.

The People of the State of Michigan enact:

Unlawful to
use spear, etc.

SECTION 1. It shall be unlawful for any person or persons to take, catch or destroy or attempt to take, catch or destroy by spear, firearms or by any explosive, any species of fish in the waters of the Lookingglass river or its tributaries in Clinton county, Michigan.

Unlawful to
fish except
with hook and
line.

SEC. 2. It shall be unlawful for any person or persons to take or catch, or attempt to take or catch, by the use of seines, nets or any means, except by hook and line, any fish other than minnows for bait, in the aforesaid river or waters tributary thereto within said county of Clinton.

Penalty.

SEC. 3. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not more than one hundred dollars or imprisonment in the county jail for a period not exceeding ninety days or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved May 14, 1907.

[No. 90.]

AN ACT to amend section two of act number one hundred fourteen of the public acts of nineteen hundred five, entitled "An act to provide for screening the outlet of Hutchins lake, in the townships of Clyde and Ganges, Allegan county, and to prohibit fishing in said lake in any manner except with the hook and line."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section two of act one hundred fourteen of the public acts of nineteen hundred five, entitled "An act to provide for screening the outlet of Hutchins lake, in the townships of Clyde and Ganges, Allegan county, and to prohibit fishing in said lake in any manner except with the hook and line," is hereby amended to read as follows:

Unlawful to
catch except
with hook and
line.

SEC. 2. It shall be unlawful for any person to take, catch or kill any fish in said Hutchins lake, in said county of Allegan, with a spear, net, grab hook, or by use of jacks or

artificial light, or any kind of firearms, or explosive materials, set lines or other device whatsoever except the hook and line in the hand or in immediate control.

This act is ordered to take immediate effect.

Approved May 14, 1907.

[No. 91.]

AN ACT to amend section twenty of chapter two and sections two, nine and twenty-five of chapter three of act number one hundred sixty-four of the public acts of eighteen hundred eighty-one, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," and acts amendatory thereof, being sections four thousand six hundred sixty-five, four thousand six hundred sixty-seven, four thousand six hundred seventy-four and four thousand six hundred ninety-one of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section twenty of chapter two and section two, section nine and section twenty-five of chapter three of act one hundred sixty-four of the public acts of eighteen hundred eighty-one, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," and acts amendatory thereof, being sections four thousand six hundred sixty-five, four thousand six hundred sixty-seven, four thousand six hundred seventy-four and four thousand six hundred ninety-one of the Compiled Laws of eighteen hundred ninety-seven, are amended to read as follows: Sections amended.

SEC. 20. The qualified voters in any school district when lawfully assembled at the first and at each annual meeting, or at an adjournment thereof, or at any special meeting lawfully called except as hereinafter provided, shall have power: Power of qualified voters.

First, At the first meeting and at any meeting after the organization of the district, in the absence of the moderator, to appoint a chairman for the time being, and in the absence of the director to appoint some person to act in his stead, who shall keep a minute of the proceedings of such meeting and certify the same to the director, to be by him entered in the records of the district; Appoint chairman and director.

Second, To adjourn from time to time as occasion may require; Adjourn.

Third, To elect district officers as herein provided, and to determine at what hour the annual meeting shall be held; Elect officers.

Designate sites.	Fourth, To designate, as hereinafter provided, a site or such number of sites as may be desired for schoolhouses, and to change the same when necessary;
Purchase site and build schoolhouse.	Fifth, To direct the purchasing or leasing of a site or sites, lawfully determined upon; the building, hiring or purchasing of a schoolhouse or houses, or the enlarging of a site or sites previously established;
Vote tax for site and schoolhouse.	Sixth, To vote such tax as the meeting shall deem sufficient, to purchase or lease a site or sites, or to build, hire or purchase a schoolhouse or houses; but the amount of taxes to be raised in any district for the purpose of purchasing or building a schoolhouse or houses in the same year that any bonded indebtedness is incurred, shall not exceed in districts containing less than ten children between the ages of five and twenty years, two hundred fifty dollars; in districts having between ten and thirty children of like age, it shall not exceed five hundred dollars; and in districts having between thirty and fifty children of like age, it shall not exceed one thousand dollars;
Vote tax for repairs, etc.	Seventh, To vote such tax as shall be necessary for the following purposes: To keep their schoolhouse or houses in repair, to provide the necessary appendages and school apparatus, to establish and support a district library, to pay and discharge any debt or liabilities of the district lawfully incurred, to pay for the service of any district officers, and to pay the premium upon any surety bond required by law to be given by any officer of such school district, and to pay for the transportation of pupils to and from school. The tax herein authorized to be voted shall not exceed one-half of the amount which the district is authorized to raise for building schoolhouses;
Sell school property.	Eighth, To authorize and direct the sale of any schoolhouse, site, building or other property belonging to the district, when the same shall no longer be needed for the use of the district;
Provisions in suits.	Ninth, To give such directions and make such provisions as they shall deem necessary in relation to the prosecution or defense of any suit or proceeding in which the district may be a party or interested;
Appoint building committee.	Tenth, To appoint, as in their discretion it may be necessary, a building committee to perform such duties in supervising the work of building a schoolhouse as they may by vote direct;
Determine length of school year.	Eleventh, At the first and the annual meeting only, to determine the length of time a school shall be taught in their district during the ensuing year, which shall not be less than nine months in districts having eight hundred children over five and under twenty years of age, and not less than five months in all other districts, on pain of forfeiture of their share of the primary school interest fund; but in case such matters shall not be determined at the first or annual
When board to determine.	

meeting, the district board shall determine the same; and in case the district fails to vote for at least the minimum length required herein, the district board shall make provisions for said minimum length of school;

Twelfth, To appropriate the funds derived or to be derived from the one mill tax, or such part thereof as is deemed necessary, for the purpose of transporting pupils to and from school: *Provided*, That any district may appropriate any surplus moneys arising from the one mill tax after having maintained a school in the district at least eight months in the school year for the following purposes: Purchasing or enlarging school sites, building or repairing schoolhouses, purchasing any school apparatus, purchasing books for library, or for any incidental expenses of the school.

To appropriate one mill tax.

Proviso.

SEC. 2. A school district office shall become vacant immediately upon any of the following events:

When school district office deemed vacant.

First, The death of the incumbent;

Second, His resignation;

Third, His removal from office;

Fourth, His removal from the district;

Fifth, His conviction of any infamous crime;

Sixth, His election or appointment being declared void by a competent tribunal;

Seventh, His neglect to file his acceptance of office, or to give or renew any official bond according to law;

Eighth, His ceasing to be a taxpayer in the school district;

Ninth, Upon the expiration of twenty days after failure of the district to elect a successor at the annual meeting, at the expiration of which period the board of school inspectors shall appoint such successor.

SEC. 9. It shall be the duty of the district board to estimate the amount necessary to be raised, in addition to other school funds, for the entire support of such schools, including teachers' wages, fuel and other incidental expenses, and for deficiencies of the previous year for such purposes and for the services of district officers: *Provided*, That in districts having less than fifty scholars drawing money from the primary school interest fund the tax for the services of district officers shall not exceed ten dollars for the services of the director, ten dollars for the services of the treasurer, and five dollars for the services of the moderator, and this shall be for all services performed by such officers for the district. When such amount has been estimated and voted by the district board, it shall be reported for assessment and collection, the same as other district taxes. When a tax has been estimated and voted by the district board under the provisions of this section or when the district has voted a tax and the money is needed before it can be collected, the district board may borrow to an amount not exceeding the amount of said tax.

District board to estimate amounts for different purposes.

Proviso, as to compensation of officers.

When board may borrow money.

Duty of
treasurer.

SEC. 25. It shall be the duty of the treasurer of each school district:

To file bond.

First, To execute to the district and file with the director within ten days after his election or appointment and each year thereafter during his term of office a bond in double the amount of money on hand, plus the amount to come into his hands as such treasurer during the ensuing year of his term of office, as near as the same can be ascertained, with two or more sureties, each of whom shall be required to justify in writing and under oath to the amount for which he is holden in said bond, or he may furnish the bond of some surety company authorized to do business in this State, the premium on which surety bond may be paid by the district; the form of the bond, the penalty and the sufficiency of the sureties to be subject to the approval of the moderator and director, conditioned for the faithful application of all moneys that shall come into his hands by virtue of his office, and to perform all the duties of his said office as required by the provisions of this act. Said bond shall be filed with the director, and none of the books or money of the district shall be placed in the hands of the treasurer until his bond has been so filed; and in case of any breach of the conditions thereof the moderator shall cause a suit to be commenced thereon in the name of the district, and any moneys collected thereon shall be paid into the township treasury, subject to the order of the district officers, and shall be applied to the same purposes as the money lost should have been applied by the treasurer: *Provided*, That the school board of any school district in which the amount of money coming into the hands of the treasurer during the fiscal year, shall exceed three thousand dollars, shall provide by resolution for the deposit in banks or trust companies of any or all moneys coming into the hands of the treasurer of the board: *Provided, however*, That no bank shall receive a larger deposit than the amount of its paid-in capital stock, and in no event to exceed thirty thousand dollars. Such bank or banks shall give a good and sufficient surety company bond, approved by said district board, in a sum at least equal to the amount designated as the penalty in the bond given by the treasurer to said school district and conditioned for the receipt, safe keeping and payment over of all money which may come under its custody under and by virtue of this act; and it shall be the duty of the treasurer of the school district to see that a greater sum than that contained in the bond is not deposited in such bank or banks, and said treasurer and his bondsmen shall be liable for any loss occasioned by deposits in excess of such bond;

May furnish
bond of
surety com-
pany.

Form, ap-
proval, etc.,
of bond.

Where filed,
etc.

Proviso, as to
deposit of
funds.

Proviso, as to
amount of
deposit, etc.

Pay orders of
director and
moderator.

Second, To pay all orders of the director, when lawfully drawn and countersigned by the moderator, out of any moneys in his hands belonging to the fund upon which such orders may be drawn;

Third, To keep a book in which all moneys received and disbursed shall be entered, the sources from which the same have been received, and the persons to whom and the objects for which the same have been paid; To keep record of moneys.

Fourth, To present to the district board, at the close of the school year, a report in writing, containing a statement of all moneys received during the preceding year, and of each item of disbursements made, and exhibit the voucher therefor; To make annual report.

Fifth, To appear for and on behalf of the district in all suits brought by or against the same, when no other directions shall be given by the qualified voters in district meeting, except in suits in which he is interested adversely to the district, and in all such cases the moderator shall appear for such district, if no other directions be given as aforesaid; To represent district in suits.

Sixth, At the close of his term of office to settle with the district board, and deliver to his successor in office all books, vouchers, orders, documents and papers belonging to the office of treasurer, together with all district moneys remaining on hand; To settle with board and turn over papers, etc.

Seventh, To perform such other duties as are or shall be by law required of the treasurer. Other duties.

Approved May 15, 1907.

[No. 92.]

AN ACT to allow fishing with set lines in the township of Argentine, in Genesee county.

The People of the State of Michigan enact:

SECTION 1. It shall hereafter be lawful to fish with set lines in any of the waters in the township of Argentine, in the county of Genesee. May fish with set lines.

SEC. 2. All acts or parts of acts in anywise contravening the provisions of this act are hereby repealed. Repealing clause.

This act is ordered to take immediate effect.

Approved May 15, 1907.

[No. 93.]

AN ACT to withdraw Agricultural College lands in Iosco and Alcona counties from the market.

The People of the State of Michigan enact:

Lands with-
drawn from
sale.

SECTION 1. All lands belonging to the Agricultural College of Michigan and known as agricultural lands, and lying within the counties of Iosco and Alcona are hereby withdrawn from entry and sale until July one, nineteen hundred seven, except insofar as the same have been heretofore entered.

This act is ordered to take immediate effect.

Approved May 16, 1907.

[No. 94.]

AN ACT to authorize the State Board of Agriculture to convey to the United States government a tract of land to be used for the purpose of erecting a building to be used and maintained for a weather station observatory or such observatory and postoffice combined.

The People of the State of Michigan enact:

Land
authorized
conveyed to
U. S. for
weather
observatory.

SECTION 1. The State Board of Agriculture is hereby authorized to convey to the United States government from the land upon which the State Agricultural College is located, a tract not exceeding one acre in extent, the location and boundaries of which are to be determined by the said board, for the use of said United States government in erecting a building at the said college to be used and maintained for a weather station observatory or such observatory and postoffice combined.

Approved May 22, 1907.

[No. 95.]

AN ACT fixing the liability of banks for the payment of forged or raised checks to a depositor.

The People of the State of Michigan enact:

Liability of
bank for
payment of
forged or
raised checks.

SECTION 1. No bank shall be liable to a depositor for the payment by it of a forged or raised check unless within three months after the return to the depositor of the voucher of

such payment such depositor shall notify the bank that the check so paid is forged or raised.

SEC. 2. All acts or parts of acts in conflict with the provisions of this act are hereby repealed. Repealing clause.

Approved May 22, 1907.

[No. 96.]

AN ACT to provide for the lawful taking of cisco fish in the waters of Brown's lake and Vandercook's lake in Jackson county, and to repeal act one hundred fifty-nine of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

SECTION 1. It shall be lawful for any person from October fifteenth to December fifteenth, both inclusive, to take cisco fish in the waters of Brown's lake and Vandercook's lake, Jackson county, by means of legal mesh net: *Provided*, That the taking of such fish shall in nowise interfere with or destroy other fish protected under the laws of this State: *Provided further*, That the meshes in said nets authorized to be used under the provisions of this act shall in no case be less than one and one-half inches. Any cisco fish lawfully taken in Brown's lake or Vandercook's lake between the dates hereinbefore provided may be retained by the person or persons so taking them, but shall not be sold or offered for sale. Open season for cisco fish, with net.
Proviso, other fish.
Further proviso.
Sale, unlawful.

SEC. 2. Act one hundred fifty-nine of the public acts of nineteen hundred five is hereby repealed. Act repealed.

This act is ordered to take immediate effect.

Approved May 22, 1907.

[No. 97.]

AN ACT to provide for the establishment of a department of veterinary science at the Michigan Agricultural College.

The People of the State of Michigan enact:

SECTION 1. The State Board of Agriculture is hereby authorized and empowered to establish a department at the Michigan Agricultural College, to be known as the department of veterinary science. Department of veterinary science.

Accommoda-
tions, tutors,
apparatus, etc.

Degree.

SEC. 2. The said State Board of Agriculture may provide suitable accommodations for class and demonstrating rooms; may appoint such professors of veterinary science and such tutors, demonstrators and other instructors as may from time to time be necessary; may furnish all necessary apparatus and appliances for the study of veterinary science; may prescribe and regulate the course of study; may make such rules and regulations as may be necessary, and may grant to each student satisfactorily completing the prescribed course of study a diploma and confer upon each such student the degree of "Doctor of Veterinary Science."

Approved May 22, 1907.

[No. 98.]

AN ACT to amend section ninety-five of chapter eighty-one, being compiler's section two thousand three hundred seventy-four of the Compiled Laws of eighteen hundred ninety-seven, the same being an act defining the powers and duties of townships, and election and duties of township officers.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section ninety-five of chapter eighty-one, being compiler's section two thousand three hundred seventy-four of the Compiled Laws of eighteen hundred ninety-seven, the same being an act defining the powers and duties of townships, and election and duties of township officers, is hereby amended to read as follows:

Compensation
of certain
township
officers.

SEC. 95. The following township officers shall be entitled to compensation at the following rates, for each day actually and necessarily devoted by them to the service of the township, in the duties of their respective offices, to be verified by affidavit, whenever required by the township boards:

First, The officers composing the township boards, board of registration, board of health, inspectors of election, clerks of the poll, commissioners of highways and school inspectors, one dollar and fifty cents per day, and at the same rate for parts of days;

Second, The supervisor for taking the assessment and for all services not connected with above boards, three dollars per day and at the same rate for parts of days;

Third, The township clerk, as clerk of the board of commissioners of highways, of the township board, and of the board of school inspectors, one dollar and fifty cents per day and at the same rate for parts of days, but no township officer shall be entitled to pay for acting in more than one

capacity at the same time: *Provided*, That at any annual township meeting, the electors of the township may, by a majority vote of those present and voting, increase the compensation of any or all of the officers mentioned in this section, excepting as above provided for the supervisor, to a sum not to exceed two dollars per day. Proviso, as to increase of compensation.

Approved May 22, 1907.

[No. 99.]

AN ACT making appropriations for the West Michigan State Fair Association for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the use of the West Michigan State Fair Association for the fiscal year ending June thirty, nineteen hundred eight, the sum of five thousand dollars; and for the fiscal year ending June thirty, nineteen hundred nine, the sum of five thousand dollars. Appropriation.

SEC. 2. The amounts appropriated by section one of this act are to be used by said association for the payment of premiums to be awarded at the annual fair of nineteen hundred seven, and the annual fair of nineteen hundred eight, on agricultural, horticultural, manufactured and domestic products and live stock grown or produced in the State of Michigan, said premiums to be awarded under the direction of the executive committee of said association: *Provided*, That said association shall award and pay the further sum of five thousand dollars in premiums at each of the annual fairs of the years above mentioned: *Provided further*, That five thousand dollars in premiums to be paid by the West Michigan State Fair Association shall be exclusive of any premiums paid by said association for speed purposes. How used. Proviso. Further proviso.

SEC. 3. The five thousand dollars appropriated by this act for the fiscal year ending June thirty, nineteen hundred eight, shall be paid out of the general fund of the State treasury to the treasurer of the West Michigan State Fair Association on presentation of a requisition signed by a majority of the executive committee of said association, accompanied by a certificate signed by the president and secretary of said association that the amount of five thousand dollars has been awarded and paid in premiums upon exhibits of products grown or produced in the State of Michigan at the annual fair in nineteen hundred seven, exclusive of any How paid.

Proviso,
vouchers.

Further
proviso.

Further
proviso.

Tax clause.

premiums paid by said association for speed purposes: *Provided*, That within thirty days after the payment of the said five thousand dollars by the State, the executive committee shall file vouchers with the Auditor General showing the amount of premiums paid on account of said fair in the year of nineteen hundred seven: *Provided further*, That in case the said premiums, exclusive of those paid by said association for speed purposes, shall amount to less than ten thousand dollars as shown by the vouchers thus filed by the Auditor General, the treasurer of said society shall accompany the vouchers with a draft in such an amount as added to the total payments represented by the vouchers will equal ten thousand dollars: *Provided further*, That the five thousand dollars appropriated for the fiscal year ending June thirty, nineteen hundred nine, shall be subject to the same requirements as provided for the appropriation for the fiscal year ending June thirty, nineteen hundred eight. No portion of the appropriation for the fiscal year ending June thirty, nineteen hundred nine, shall be paid to the treasurer of said West Michigan State Fair Association, unless the provisions applicable to the appropriation for the fiscal year ending June thirty, nineteen hundred eight, shall have been complied with.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of five thousand dollars and for the year nineteen hundred eight, the sum of five thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved May 22, 1907.

[No. 100.]

AN ACT making appropriations for the Michigan Reformatory at Ionia, Michigan, for general repairs and other improvements for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Appropriation,
for 1908.

How used.

SECTION 1. There is hereby appropriated for the Michigan Reformatory at Ionia, Michigan, for the fiscal year ending June thirty, nineteen hundred eight, the sum of three thousand seven hundred seventy-five dollars for purposes and amounts as follows: For general repairs, two thousand two hundred fifty dollars; for library, two hundred dollars; for

stationery and printing, two hundred fifty dollars; for farm, garden and lawn, three hundred seventy-five dollars and for furnishing the kitchen and administration buildings, seven hundred dollars.

Sec. 2. The further sum of three thousand seventy-five dollars is hereby appropriated for the said institution for the fiscal year ending June thirty, nineteen hundred nine, for purposes and amounts as follows: For general repairs, two thousand two hundred fifty dollars; for library, two hundred dollars; for stationery and printing, two hundred fifty dollars and for farm, garden and lawn, three hundred seventy-five dollars.

For 1909.

How used.

Sec. 3. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the warden of the Michigan Reformatory at Ionia, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

How paid.

Sec. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of three thousand seven hundred seventy-five dollars and for the year ending June thirty, nineteen hundred eight, the sum of three thousand seventy-five dollars, which, when collected, shall be credited to the general fund to reimburse the same for the moneys hereby appropriated.

Tax clause.

This act is ordered to take immediate effect.

Approved May 22, 1907.

[No. 101.]

AN ACT to regulate the carrying on of business under an assumed or fictitious name.

The People of the State of Michigan enact:

SECTION 1. No person or persons shall hereafter carry on or conduct or transact business in this State under any assumed name, or under any designation, name or style, corporate or otherwise, other than the real name or names of the individual or individuals owning, conducting or transacting such business, unless such person or persons shall file in the office of the clerk of the county or counties in which such person or persons own, conduct, or transact, or intend to own, conduct or transact such business, or maintain an office or place of business, a certificate setting forth the name under which such business owned is, or is to be conducted, or transacted, and the true or real full name or names of the

How business may be conducted under assumed name.

Certificate to be filed, what to set forth, etc.

Proviso.

person or persons owning, conducting or transacting the same, with the home and postoffice address or addresses of said person or persons. Said certificate shall be executed and duly acknowledged by the person or persons so owning, conducting, or intending to conduct said business: *Provided*, That the selling of goods by sample or through traveling agents or traveling salesmen or by means of orders forwarded by the purchaser through the mails, shall not be construed for the purpose of this act as conducting or transacting business so as to require the filing of said certificates.

Provisions relative to firms now in business.

SEC. 2. Persons now owning or conducting such business under an assumed name, or under any such designation referred to in section one, shall file such certificate as hereinbefore prescribed, within thirty days after this act shall take effect, and persons hereafter owning, conducting or transacting business as aforesaid shall, before commencing said business, file such certificate in the manner hereinbefore prescribed.

County clerks to keep index, fees, etc.

SEC. 3. The several county clerks of this State shall keep an alphabetical index of all persons filing certificates, provided for herein, and for the indexing and filing of such certificates, they shall receive a fee of twenty-five cents. A copy of such certificate duly certified to by the county clerk in whose office the same shall be filed, shall be presumptive evidence in all courts of law in this State of the facts therein contained.

Not to apply to certain corporations, etc.

SEC. 4. This act shall in no way affect or apply to any corporation, partnership association, limited or special partnership duly organized under the laws of this State, or to any corporation organized under the laws of any other state and lawfully doing business in this State.

Penalty for violation.

SEC. 5. Any person or persons owning, carrying on or conducting or transacting business as aforesaid, who shall fail to comply with the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment in the county jail for a term not exceeding thirty days or by both such fine and imprisonment in the discretion of the court; and each day any person or persons shall violate any provision of this act shall be deemed a separate offense.

Approved May 22, 1907.

[No. 102.]

AN ACT to prohibit fishing with, using or setting seines, gill nets, or any form of pound, trap, sweep or set nets, or like device, or any spear, night lines or set lines, in any of the waters of Little Bay de Noquette and the tributaries thereof.

The People of the State of Michigan enact:

SECTION 1. No person or persons shall fish with, use or set any seines, gill nets, or any form of pound, trap, sweep or set nets, or any like device, or use any spear, night line, or set line, for taking fish in any of the waters of this State known as Little Bay de Noquette, which within the meaning of this act, shall be defined as those waters of Little Bay de Noquette, and tributaries north from a line drawn from the extreme end of Saunder's Point on the west shore to the extreme end of Squaw Point on the east shore.

Nets, spears,
etc., pro-
hibited.

SEC. 2. Any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof before any justice having jurisdiction, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, and cost of prosecution, or imprisonment in the county jail not to exceed sixty days, or both such fine and imprisonment in the discretion of the court.

Penalty for
violation.

SEC. 3. It shall be the duty of the State Game Warden, the commissioners of State fisheries and the sheriffs, within their respective jurisdictions, to enforce the provisions of this act, and when, upon complaint or information otherwise obtained, they shall discover any violations thereof, to institute the necessary proceedings to punish the offenders, and it shall be their duty to seize and destroy any nets found, used or set in violation of this act.

Duty of
certain
officers.

SEC. 4. Any and all such nets set in said prohibited waters in violation of the provisions of this act are hereby declared to be a public nuisance, and may be taken up and destroyed by any person finding the same, without criminal or civil liability.

Nets declared
public
nuisance.

SEC. 5. All acts and parts of acts contravening the provisions of this act are hereby repealed.

Repealing
clause.

This act is ordered to take effect October thirty, nineteen hundred seven.

Approved. May 22, 1907.

[No. 103.]

AN ACT to repeal act number one hundred twenty-six of the public acts of eighteen hundred ninety-seven, entitled "An act to preclude the appointment as administrator of the estate of a deceased incompetent person of any person who, within one year prior to the death of such deceased incompetent person, was the guardian of such deceased incompetent person, except heirs," being compiler's section number nine thousand three hundred forty-three of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Act repealed. SECTION 1. Act number one hundred twenty-six of the public acts of eighteen hundred ninety-seven, entitled "An act to preclude the appointment as administrator of the estate of a deceased incompetent person of any person who, within one year prior to the death of such deceased incompetent person, was the guardian of such deceased incompetent person, except heirs," being compiler's section number nine thousand three hundred forty-three of the Compiled-Laws of eighteen hundred ninety-seven, is hereby repealed.

Approved May 22, 1907.

[No. 104.]

AN ACT to amend section five of act number forty of the public acts of eighteen hundred fifty-five, approved February nine, eighteen hundred fifty-five, entitled "An act to provide for the formation of companies for running, driving, booming and rafting logs, timber and lumber, and for regulating the floatage thereof," the same being section six thousand five hundred nineteen of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section five of act number forty of the public acts of eighteen hundred fifty-five, approved February nine, eighteen hundred fifty-five, entitled "An act to provide for the formation of companies for running, driving, booming and rafting logs, timber and lumber, and for regulating the floatage thereof," is hereby amended to read as follows:

Who may become members.

SEC. 5. Any person owning logs, timber or lumber, intended to be run or driven upon said stream or waters, or interested in running, driving, booming or rafting the same, may become a member of this corporation, upon application, by signing the articles of said company and paying his just

proportion of the expense of managing and conducting its affairs: *Provided*, Nothing in this act contained shall be so construed as in any manner to prevent or hinder any person or persons from running, driving, booming, or rafting their own logs, timber or lumber, at such time and in such manner as their interests may require: *Provided, also*, That all persons owning, running, driving, rafting or booming any logs, timber or lumber, in or upon such streams or waters, shall not leave them in such a situation as to obstruct the floatage or navigation, or clearing the banks of such stream or waters, or in any manner thereby deprive individuals or the public of their natural privileges. Any person found guilty of violation of the provisions of this section shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars, and not more than one hundred dollars, or by imprisonment in the county jail not exceeding three months or by both such fine and imprisonment in the discretion of the court.

Proviso, as to private interests.

Proviso, as to obstruction of streams.

Penalty for violation.

Approved May 22, 1907.

[No. 105.]

AN ACT to amend section one of act number two hundred seventy-three of the public acts of eighteen hundred eighty-nine, entitled "An act to provide for selecting and drawing jurors for the circuit court of the county of Saginaw."

The People of the State of Michigan enact:

SECTION 1. Section one of act two hundred seventy-three of the public acts of eighteen hundred eighty-nine, entitled "An act to provide for selecting and drawing jurors for the circuit court of the county of Saginaw," is hereby amended so as to read as follows:

Section amended.

SEC. 1. That the Governor of this State shall appoint a board of jury commissioners for Saginaw county, to consist of three qualified electors of said county; said commissioners shall receive as compensation for their services the sum of five dollars per day for each day necessarily employed in the discharge of their duties herein provided for; also mileage at the rate of ten cents per mile for every mile actually traveled in going to and returning from the place of meeting by the usually traveled route: *Provided*, That the compensation and mileage of each commissioner shall not exceed the sum of twenty dollars in any one year: *Provided further*, That all bills for compensation and mileage shall be certified to by the county clerk and audited by the board of

Board of jury commissioners, appointment of.

Compensation.

Proviso.

Further proviso.

Term of office. county auditors. Their official term shall begin on the first day of April after their appointment, and they shall hold their office for the term of four years. Vacancies may be filled by the Governor from time to time as they occur. Said commissioners shall, before entering upon the duties of their office, take and subscribe the oath of office, and file the same with the clerk of said county.

Vacancies.

Oath.

This act is ordered to take immediate effect.

Approved May 22, 1907.

[No. 106.]

AN ACT to change the name of the office of the State Game and Fish Warden; to provide that the protection of the forests of the State shall be under the supervision of such warden, to fix his salary, and to abolish the office of Chief Fire Warden.

The People of the State of Michigan enact:

Office, how designated.

SECTION 1. The office now known and designated as State Game and Fish Warden shall hereafter be known and designated as State Game, Fish and Forestry Warden.

Additional duties of game and fish warden.

SEC. 2. In addition to the powers now conferred and the duties imposed on the State Game and Fish Warden, the powers of the Commissioner of the State Land Office as Forest Commissioner relating to the suppression and prevention of forest fires, and the powers of Chief Fire Warden shall hereafter be exercised by, and the duties of said offices, as hereinbefore specified, shall hereafter devolve upon and be performed by the State Game, Fish and Forestry Warden. The office of Chief Fire Warden is hereby abolished.

Salary.

SEC. 3. The salary of the State Game, Fish and Forestry Warden shall be three thousand dollars per annum, and said warden shall also be paid his actual and necessary expenses. Such salary and expenses shall be paid monthly by the State Treasurer on the warrant of the Auditor General.

This act is ordered to take effect July one, nineteen hundred seven.

Approved May 22, 1907.

[No. 107.]

AN ACT granting an easement for highway purposes over certain State property occupied by the Michigan Soldiers' Home, in the township of Grand Rapids, Kent county, Michigan.

The People of the State of Michigan enact:

SECTION 1. An easement is hereby granted to the public for highway purposes over a strip of land thirty-three feet wide, from off the south side of the land owned by the State and occupied by the Michigan Soldiers' Home, in the township of Grand Rapids, Kent county, Michigan, beginning at the southwest corner of section six, town seven north, range eleven west, running thence east along the south line of said section to the east side of Canal street, so-called. Easement granted, description.

SEC. 2. Unless a highway shall be laid out and graded on the property described in section one of this act and placed in good condition for public travel, within one year after the taking effect of this act, then the easement granted in section one shall be void, and the board of managers of the Michigan Soldiers' Home shall close said property to the public. When void.

SEC. 3. If, at any time, the property granted in section one shall cease to be used for highway purposes, or there shall cease to be maintained thereon a highway in good condition and well graded for public travel for a period of one year, the board of managers of the Michigan Soldiers' Home shall have the right to revoke the easement granted in section one of this act and close said property to the public. When may be revoked.

This act is ordered to take immediate effect.

Approved May 22, 1907.

[No. 108.]

AN ACT to provide for the assessment of money taxes for highway purposes and to repeal chapter two, "Assessments for highway purposes," and chapter three, "The performance of labor on highways and the commutation therefor," of act number two hundred forty-three of the public acts of eighteen hundred eighty-one, as amended, being compiler's sections number four thousand seventy-two to four thousand one hundred three, inclusive, of the Compiled Laws of eighteen hundred ninety-seven, and all acts and parts of acts inconsistent with the provisions hereof.

The People of the State of Michigan enact:

Taxes for
highways.

Road repair
tax.

Highway
improvement
tax.

Disposition
of moneys on
hand.

Account of
highway
commissioner,
year 1908.

SECTION 1. The highways in every organized township in this State shall be laid out, improved and maintained by two money taxes; one tax shall be known as the road repair tax, and shall be assessed on all property in the township outside of the limits of incorporated villages, which tax shall not exceed fifty cents on each one hundred dollars valuation according to the assessment roll of the last preceding year, and the other tax shall be known as the highway improvement tax and shall be assessed on all taxable property in the township, including that within the limits of incorporated villages, which tax shall not exceed fifty cents on each one hundred dollars valuation, according to the assessment roll for the last preceding year. All highway moneys belonging to the township or to any subdivision thereof at the time of the passage of this act, shall be added to the road repair fund or to the highway improvement fund as the township board may direct, except such moneys as have been appropriated or set aside for a special purpose, which shall be used for the purposes for which they were appropriated or set aside.

SEC. 2. The commissioner of highways in each township shall render to the township board at the annual meeting thereof in the year nineteen hundred eight, an account in writing, stating:

First, The highway labor assessed and performed in his township within the year;

Second, The amount paid for delinquencies and commutations and other moneys received by him and the application thereof;

Third, The improvements which have been made on roads and bridges in his township during the year preceding such report, and the condition of such roads and bridges;

Fourth, An estimate of the amount of road repair tax which in his judgment, should be assessed upon the taxable property of the township outside the limits of incorporated villages, for the next ensuing year, not exceeding fifty cents on each one hundred dollars valuation, according to the assessment roll for the last preceding year;

Fifth, The permanent improvements which, in his judgment, should be made on the highways and bridges during the next ensuing year, and the amount of highway improvement tax which should be levied for that purpose, not exceeding fifty cents on each one hundred dollars valuation according to the assessment roll for the last preceding year, which tax shall be assessed on all taxable property in the township, including that within the limits of incorporated villages.

Account of
highway
commissioner,
after 1908.

SEC. 3. The commissioner of highways in each township shall render to the township board at the annual meeting thereof in each year after the year nineteen hundred eight, an account in writing, stating:

First, The amount of road repair tax received by him during the preceding year, a summary of the expenditures from that fund, the amount of outstanding liabilities, if any, and the amount of such road repair fund, if any, over and above such expenditures and liabilities;

Second, The amount of highway improvement tax received by him during the preceding year, a summary of the expenditures from that fund, a statement of the permanent improvements made on roads and bridges and of the condition of the roads and bridges so improved, the amount of outstanding liabilities, if any, and the amount of the highway improvement fund, if any, over and above such expenditures and liabilities;

Third, The amount of all other moneys received for highway purposes with a statement of the application thereof;

Fourth, An estimate of the amount of road repair tax which, in his judgment, should be assessed for the ensuing year, not exceeding the amount named in section one of this act;

Fifth, The permanent improvements which, in his judgment, should be made on the roads and bridges during the next ensuing year and the amount of highway improvement tax which should be levied for that purpose, not to exceed the amount named in section one of this act.

SEC. 4. The township board shall cause such statement to be presented at the next annual township meeting, but a failure to render such statement or to present the same to the township meeting shall not affect the right of the electors of the township to vote at such meeting the amount of road repair tax and road improvement tax to be assessed, or of the township board to fix and determine the same as provided elsewhere in this act.

Board to present statement at annual township meeting.

SEC. 5. At the annual township meeting held in each organized township after the year nineteen hundred seven the electors shall, by a majority of those present and voting, who do not reside in any incorporated village, determine the amount of road repair tax to be raised for the ensuing year, not exceeding fifty cents on each one hundred dollars valuation, according to the assessment roll for the last preceding year, and at the said meeting the electors shall also, by a majority of all those present and voting, including residents of incorporated villages in such organized township, determine the amount of highway improvement tax to be raised for the ensuing year, not exceeding fifty cents on each one hundred dollars valuation, according to the assessment roll for the last preceding year.

Electors to determine amount of road repair tax.

To determine amount of highway improvement tax.

SEC. 6. If the electors present at any annual township meeting shall neglect or refuse to vote any road repair tax or highway improvement tax, the township board and the township highway commissioner, acting jointly, shall order to be levied such a sum or sums, for either or both of these

When board and commissioner may determine amount of tax.

funds, as may appear to them necessary and advisable, not to exceed the amounts named in section one of this act.

Clerk to deliver proceedings to supervisor.

SEC. 7. A certified copy of the record of the proceedings of the township meeting or township board, fixing and determining the amount of such highway taxes, shall be transmitted by the township clerk to the supervisor of his township on or before the first day of October in the year nineteen hundred eight and in each year thereafter, and such taxes shall be levied and collected in the same manner as moneys for general township purposes are levied and collected. The taxes so levied shall be carried out in two separate columns in the tax roll, one as the road repair tax and the other as the highway improvement tax, and the township treasurer shall keep separate accounts of the same. In addition to the bond required to be given by the treasurer by compiler's section number four thousand one hundred sixty-seven of the Compiled Laws of eighteen hundred ninety-seven, such bond shall be in at least double the amount of all moneys to come into his hands by virtue of this act.

Tax to be carried in separate columns.

Additional bond of treasurer.

Township board may borrow money.

SEC. 8. When the amount of either or both of said taxes shall have been determined by the township meeting or the township board, the township board shall have the power and authority to borrow an amount not exceeding three-fourths of the tax determined upon for the ensuing year, for the purpose of paying for labor, material, tools or machinery, or other expenses in connection with the laying out, building, repairing or improving of highways and bridges of the township.

Road repair tax, how expended.

SEC. 9. The road repair tax shall be expended for labor, material and other necessary expenses, under the supervision and by the direction of the township highway commissioner, on the highways and bridges which will directly benefit the property taxed, not exceeding one hundred dollars on any one mile of highway, unless otherwise directed by the township board. Should the highway or highways or bridges directly adjacent to any property taxed, be in good condition so that no repairs are necessary thereon, then the tax raised on such property may be expended by the highway commissioner on other highways or bridges in the township where it may be needed: *Provided*, If there be a surplus after the highway or highways or bridges directly adjacent to the property taxed have been repaired and put in good condition, such surplus may be expended by the highway commissioner on other highways and bridges in the township wherever any improvement may be needed: *Provided further*, That upon complaint in writing to the township board by any ten or more resident taxpayers that the road repair fund is being unequally and unjustly applied, or work improperly performed, the township board may direct the expenditure of such road repair fund or the manner of per-

Proviso, as to surplus after certain repairs are made.

forming such work: *Provided further*, That not to exceed twenty-five dollars shall be expended by the highway commissioner in any one year for tools or machinery, without the consent of the township board. Proviso, as to tools, etc.

Sec. 10. The highway improvement fund shall be expended by the township highway commissioner under the direction of the township board in laying out, building and permanently improving or repairing highways and bridges and in the employment of labor, purchasing of material, tools or machinery to be used therefor. Highway improvement fund, how expended.

Sec. 11. It shall be the duty of the highway commissioner to see that all highways and bridges are kept in as good condition as possible. He shall employ and direct the employment of such labor as he may deem necessary and advisable, and all disbursements from the highway improvement fund or the road repair fund shall be made upon his warrant, drawn on the township treasurer and countersigned by the township clerk. Duty of highway commissioner.

Sec. 12. Work to be paid for from the road repair fund shall be completed on or before the first day of September in each year: *Provided*, That not exceeding one-quarter of the amount of such tax may be kept by the highway commissioner for later necessary repairs, or for plowing, rolling or removing snow in winter. Date of completion of repairs. Proviso.

Sec. 13. There shall be but one road district in each organized township except that in townships consisting of more than one surveyed township, each surveyed township may be a road district, and at each annual township meeting on the first Monday in April after the passage of this act and at each annual township meeting thereafter, there shall be elected in each organized township one overseer of highways for each road district who shall work under the direction of the township highway commissioner. Emergency repairs to an amount not exceeding ten dollars may be made by such overseer of highways without consulting with the highway commissioner, and if the highway commissioner be unable to take charge of the work on highways and bridges because of sickness, absence or any other reason, the overseer of highways shall have charge and supervision of all work, and in such case warrants drawn by him and countersigned by the township clerk shall be paid by the township treasurer. In case of a vacancy in the office of township highway commissioner through death, resignation or otherwise, the overseer of highways residing in the same surveyed township as the former highway commissioner resided in shall act in the place and stead of the highway commissioner, until a new highway commissioner shall be appointed or elected, and shall have all the powers and duties of such township highway commissioner. Number of road districts. Election of overseer. Power and duties of overseer. Overseer to act instead of commissioner.

Sec. 14. The highway commissioner shall be responsible for the discharge of all duties formerly required of overseers Responsibility of commissioner.

of highways: *Provided*, Such duties are not in contravention of any provision of this act.

Compensation
of com-
missioner.

SEC. 15. The township highway commissioner shall be entitled to such compensation as the township board may decide, which compensation shall be not less than two dollars per day nor more than three dollars per day for the time actually employed, and the overseer of highways shall be entitled to such compensation as the township board may decide which compensation shall not be less than one dollar and fifty cents per day nor more than two dollars and fifty cents per day for the time actually employed. The compensation of the highway commissioner and the overseer of highways shall be paid from the general or other fund of the township, in the same manner as other township officers are paid.

Of overseer.

How paid.

Direction for
work on
highways.

SEC. 16. All work hereafter done upon roads and bridges, except such work as may be required for repairs, shall have in view the permanent improvement of such roads and bridges. Before beginning such permanent improvement on any highway, a survey of the highway shall be made by a competent surveyor and a profile of such survey shall be made and placed on file with the township clerk. This profile shall show the grade lines of the center of the highway and the bottom of the ditches, and there shall be indicated upon the profile a grade line showing cuts and fills which, in the opinion of the surveyor, should be made in order to establish a good grade. All turnpiking shall be done according to this profile before putting gravel or stone on the highway, unless it can be clearly shown to the township board, and agreed to by that board, that the grade established on such profile will be impracticable and inadvisable when completed, in which case a new grade shall be indicated on the profile, which grade shall be satisfactory to said board. Before proceeding to permanently improve any highway the commissioner shall set grade stakes not more than one hundred feet apart, on the side of the highway to be improved, to which the grade shall be made to conform. The highway shall be constructed in such a manner as to form a turnpike, sufficiently crowning to shed water, with gutters or ditches adequate for drainage. The width of the turnpike shall be not less than eighteen feet between side ditches.

Improvement
of turnpikes,
graveling, etc.

SEC. 17. After any such turnpike shall be used for one year, the ruts shall be filled, after which it shall be graveled or macadamized in cases where gravel or crushed stone can conveniently be obtained. If it be advisable to put on gravel or stone when grading has been completed, the turnpike shall first be thoroughly compacted. In graveling or macadamizing any highway, the gravel or stone shall be placed on the center thereof, in a mass not less than nine feet wide, and

not less than six nor more than twelve inches deep, in the discretion of the highway commissioner.

SEC. 18. The work specified in section sixteen and section seventeen of this act shall be continued until all the highways in the township are made equal to the requirements of said sections. Work to be continued.

SEC. 19. Whenever any person or persons interested in any highway, wish to improve the same by grading, graveling, macadamizing or paving they may do so at their own expense, and in such manner as may be approved by the highway commissioner; and when sufficient means shall be provided by such party or parties to make the improvement desired, the highway commissioner shall furnish a grade for such highway and direct the manner in which it shall be graded, and his per diem while so employed shall be paid by the township as though the township were making the improvement. The highway commissioner shall, if requested to do so by the party or parties making the improvement, supervise and direct the graveling, macadamizing or paving, and his per diem while so employed shall be paid by the township as though the township were making the improvement: *Provided*, That no highway commissioner or any other town officer shall be awarded any contract for any labor to be performed under the provisions of this act, and any such contract, so awarded, shall be void. Graveling, grading, etc., by private parties.

Commissioner to supervise work.

Proviso, as to contracts.

SEC. 20. Materials for making improvements under any provision of this act, may be taken from any property set aside for highway purposes in the township. Materials, where secured.

SEC. 21. Chapter two, "Assessments for highway purposes," chapter three, "The performance of labor on highways and the commutation therefor," of act number two hundred forty-three of the public acts of eighteen hundred eighty-one, as amended, being compiler's sections numbers four thousand seventy-two to four thousand one hundred three, inclusive, of the Compiled Laws of eighteen hundred ninety-seven, and all acts and parts of acts contravening the provisions of this act are hereby repealed. Chapters repealed.

Approved May 22, 1907.

[No. 109.]

AN ACT to provide for the appointment of a bacteriologist by the State Board of Health; to provide for the purchase of the necessary appliances and apparatus for bacteriological examinations, and providing an appropriation therefor.

The People of the State of Michigan enact:

Bacteriologist,
appointment,
salary.

SECTION 1. The State Board of Health is hereby authorized and empowered to employ a competent bacteriologist, whose duties shall be such as are or may be defined by law or defined by said Board of Health, and shall be performed in connection with the department of public health. The salary of the person appointed bacteriologist shall be fixed by the said Board of Health.

Duty.

SEC. 2. The bacteriologist whose appointment is herein provided for shall conduct the routine work in connection with bacteriological examinations and analyses that may be necessary, authorized or required by the provisions of this act or ordered or directed by the said Board of Health, all of which shall be under the supervision of the secretary of said board.

Bacteriologi-
cal examina-
tion.

SEC. 3. The various boards of health and health officers may require a bacteriological examination or analysis of blood, sputum, urine, water, milk, or other substance in localities where there is an outbreak of any contagious disease or epidemic in which bacteriological examination or analysis may be necessary to the public health and welfare, or for the purpose of locating sources of infection, or contamination of water, milk, ice, etc., as the case may be. The said State Board of Health shall also be required to make an examination and analysis of the water used by the public, and of public water supplies, when contamination is suspected, whenever the examination or analysis is required by the mayor of any city, the president of any village, or the supervisor of any township. Such boards or officers shall forward or deliver to the secretary of the State Board of Health a sample of the substance required to be analyzed, in a sealed package or jar accompanied by a statement from such board or officer, indicating the necessity for the analysis. The examination or analysis for the boards or officers above named shall be made free of charge. The State Board of Health shall also make a bacteriological examination or analysis in all matters of a criminal nature whenever requested by the prosecuting attorney of the county in

Analysis of
water, etc.

Substances
sent in sealed
packages.

Analysis in
criminal
matters.

Proviso, cost.

which the case may arise: *Provided, however,* That any prosecuting attorney requiring any analysis of a criminal nature shall be required to pay to the said State Board of Health the nominal cost of the materials used and for the

time necessarily spent in making such examination or analysis, which amount shall constitute a charge against the particular county and shall be covered into the State treasury to the credit of the bacteriological fund in addition to the amount herein appropriated, and may be drawn by the State Board of Health in the manner now provided by the accounting laws of this State for the purpose of maintaining or adding to the equipment of the bacteriological division of the department of health.

SEC. 4. The said Board of Health is hereby given authority to purchase any and all such apparatus and appliances as shall be necessary to carry out the provisions of this act: *Provided*, That the amount paid as salary to the bacteriologist and expended for apparatus and appliances, in any one year, shall not exceed the amount of the yearly appropriation provided for in this act: *Provided further*, That any part of the appropriation herein provided for, not expended for the salary of the bacteriologist or for purchasing apparatus, material and appliances, may be used by the said Board of Health in compiling general information in regard to bacteriological examinations and for such other purposes in connection with the bacteriological work of the department of public health as shall be deemed advisable and necessary by the said board.

Apparatus,
board may
purchase.

Proviso, sal-
ary, expenses.

Further
proviso,
compilations.

SEC. 5. There is hereby appropriated out of the moneys in the treasury, to the credit of the general fund not otherwise appropriated, the sum of five thousand dollars for the fiscal year ending June thirty, nineteen hundred eight, and the sum of thirty-five hundred dollars annually thereafter for the purpose of carrying out the provisions of this act, which amount shall be paid to the State Board of Health in the manner now provided in the general accounting laws of this State.

Appropriation.

Annual
appropriation.

This act is ordered to take immediate effect.

Approved May 22, 1907.

[No. 110.]

AN ACT to amend sections three, four and five of chapter thirty-two of act number two hundred fifteen of the public acts of eighteen hundred ninety-five, entitled "An act to provide for the incorporation of cities of the fourth class," being sections three thousand three hundred forty, three thousand three hundred forty-one and three thousand three hundred forty-two of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Sections three, four and five of act number two hundred fifteen of the public acts of eighteen hundred ninety-five, entitled "An act to provide for the incorporation of cities of the fourth class," being sections three thousand three hundred forty, three thousand three hundred forty-one and three thousand three hundred forty-two of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

Manner of
conducting
annual elec-
tion of
trustees.

SEC. 3. Such annual election of school trustees, as above provided, shall be held at such place in each city as the board of education shall designate. In the designation of such place, it shall be the duty of the said board to choose a place most convenient for the accommodation of the voters. The polls shall be open at nine o'clock in the forenoon, and shall continue open, without intermission or adjournment, until the hour of eight o'clock in the afternoon, at which time they shall be finally closed. Said election shall be by ballot and except as herein otherwise directed, shall be conducted in all respects including the manner of selecting candidates; the placing of the names of candidates upon the ballots; the printing of the ballots; erection of booths, etc., in the same manner and in conformity with the provisions of law governing in the case of annual township elections. All the penalties of the general election law relative to neglect of duty or violation of the terms of this act, shall be applicable. The members of the said school board shall be governed by the same restrictions and shall perform similar duties to those prescribed for the township board at annual township meetings. Notice of the time and place of holding such election shall be given by the secretary of the board at least fifteen days before the said election by placing such notices in three of the most public places in each ward of the city, and by publishing a copy thereof in one or more newspapers published in the city, the same length of time before the election. On or before the twentieth day of June in each year, the board of education shall appoint three election commissioners. All nominations for the office of trustee shall be made by petition signed by at least twenty-five

Notice of
election.

Election com-
missioners.

Nomination
petitions.

qualified electors of said district. All nomination petitions shall be filed by the respective candidates with said election commissioners at least five days before the election. The said election commissioners shall after the time, during which nomination petitions may be filed, has elapsed, proceed to determine, by lot, the place which each candidate shall have upon the official ballot. And thereupon said commissioners shall cause to be printed ballots in the same manner and form as near as may be, as now used in the election of city officers. They shall deliver said ballots when printed to the secretary of the board of education the day preceding the day of election. Nothing contained herein, however, shall be construed so as to prevent any elector from voting for any person by pasting or writing the name of his candidate or candidates in pencil on his ballot.

Position of
candidates on
ballot.

Ballots, form
of, etc.

SEC. 4. The president and secretary of the board of education and one other trustee to be designated by the board, if not candidates for election, shall constitute a board of inspectors of such election, and if any of said three trustees be so disqualified, or shall not be present at the time of the opening of the polls or remain in attendance, the electors present may choose viva voce such number of electors present as shall constitute a board of three inspectors of such election. Each of said inspectors shall take the required oath to faithfully perform the duties of inspector of such election. The president of the board shall be chairman of the board of inspectors; in his absence the inspectors shall elect one of their number as such chairman. The qualifications of voters at such election, or at any school district meeting shall be such as are or may hereafter be prescribed by the general school laws. The board of inspectors shall have the same authority and power in maintaining and enforcing order and obedience to their lawful commands at such elections and during the canvass of the votes as are conferred by the general laws of the State upon school officers in similar cases.

Inspectors of
election.

Chairman of
inspectors.

Qualifications
of voters.

Authority of
inspectors.

SEC. 5. The board of inspectors shall make a poll list of the names of persons voting at such election. They shall also have the last school census present at such election open for inspection by any citizen; they shall also have the right of access to the registration books of the several wards of the city, if they deem it necessary, and for that purpose they may require the city clerk to attend such election with such registers.

Duties of
inspectors.

This act is ordered to take immediate effect.

Approved May 22, 1907.

[No. 111.]

AN ACT to amend section one of chapter three and section one of chapter eight, as amended by act number two hundred fifty-four of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other acts relative thereto," approved June two, eighteen hundred ninety-seven, the same being compiler's sections number four thousand three hundred nineteen and four thousand three hundred seventy-nine of the Compiled Laws of eighteen hundred ninety-seven, as amended by act two hundred seventy-two of the public acts of eighteen hundred ninety-nine.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Section one of chapter three and section one of chapter eight, as amended by act number two hundred fifty-four of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other acts relative thereto," approved June two, eighteen hundred ninety-seven, the same being compiler's sections number four thousand three hundred nineteen and four thousand three hundred seventy-nine of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

CHAPTER III.

Application
for drain, by
whom signed.

Proviso.

Further
proviso.

When com-
missioner
guilty of mis-
demeanor.

SECTION 1. Before the commissioner takes any action toward locating, establishing or extending, straightening, deepening or widening any drain there shall be filed with him an application signed by not less than ten freeholders of the township or townships in which such drain or the lands to be drained thereby and to be assessed therefor may be situated; also by not less than one-half of the freeholders whose lands are traversed by such drain: *Provided*, That five or more of said signers shall be owners of lands liable to assessments for benefits in the construction of such drain: *Provided further*, That where there are only five or less property owners liable to assessments for benefits, one-half of all such owners of lands so liable shall be necessary and sufficient upon such application, giving a general description of the beginning, the route and the terminus thereof. And in case any county drain commissioner shall, directly or indirectly, interest himself in securing signatures to an application for any drain he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined

not to exceed fifty dollars or be imprisoned in the county jail not to exceed ninety days or both such fine and imprisonment in the discretion of the court, and the office of such drain commissioner shall be deemed vacant, and the drain commissioner so convicted shall be incapable of again holding the office of county drain commissioner. Such applicants shall be jointly and severally liable for all costs and expenses in case the county drain commissioner upon examination or upon examination and survey shall determine that the same is unnecessary or impracticable or in case the proceedings shall be dismissed for other cause. If the persons signing such application shall refuse to pay such costs and expenses the county drain commissioner shall bring suit in a court of competent jurisdiction, and collect such costs and expenses with costs of suits. If, upon the presentation of such application, the county drain commissioner shall deem the financial responsibility of the applicants insufficient, he shall have the right to return such application for additional signatures.

Liability of applicants for costs.

Suit for costs.

Additional signatures.

CHAPTER VIII.

SECTION 1. Whenever a drain, or any portion thereof, needs cleaning out, one-third of all owners of land traversed by such drain may make application in writing to the county drain commissioner by whom it was constructed or to his successors in office, setting forth its necessity, and the county drain commissioner shall, as soon as practicable thereafter, go upon the line thereof and carefully examine such drain, and if, in his judgment, the request of the applicants should be granted, he shall fix the per cent of the cost of cleaning out, that the owner or owners of the lands benefited thereby shall be assessed therefor: *Provided*, That such assessment shall be made according to benefits and shall be subject to appeal the same as in the first instance, except that in all cases under this section where drains are only cleaned out, the cost thereof may, in the discretion of the drain commissioner, be assessed upon the same per cent fixed for the construction thereof: And *Provided further*, That whenever any drain shall need straightening, deepening or widening, the same proceedings shall be had throughout in every respect as are provided in this act for the locating and constructing of a drain in the first instance. Drains may be cleaned out, deepened, widened, or straightened and for any or all such improvements only one application and proceeding will be necessary. It shall not be necessary for the applicants in such proceedings to further describe the drain or drains involved, than by referring to the recorded name or names thereof, but a reference to a drain, describing it by its com-

Application for cleaning out.

Commissioner to examine.

Proviso, assessment.

Further proviso, deepening, etc.

Description.

Proceedings
for water
course.

Proviso,
river.

mencement, terminus and general direction shall be sufficient without giving the name of the drain. In cases where a natural watercourse shall need cleaning out, straightening, deepening, or widening, where no valid proceedings have been had to previously establish such watercourse, it shall be immaterial whether the first proceedings shall be to clean out, lay out, straighten, deepen or widen: *Provided*, That no navigable river shall be straightened, deepened or widened as a drain under the provisions of this chapter, but the county drain commissioner shall take such steps as may be necessary to obtain a right-of-way, as heretofore provided and go on with his proceedings in the manner provided by law.

This act is ordered to take immediate effect.

Approved May 22, 1907.

[No. 112.]

AN ACT to amend section one of act number one hundred thirty-six of the public acts of eighteen hundred ninety-three, entitled "An act to authorize the State Board of Education to grant teachers' certificates in certain cases," being section four thousand eight hundred five of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section one of act number one hundred thirty-six of the public acts of eighteen hundred ninety-three, entitled "An act to authorize the State Board of Education to grant teachers' certificates in certain cases," being section four thousand eight hundred five of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Granting of
teachers'
certificates
without
examination.

SEC. 1. The State Board of Education is hereby empowered to grant teachers' certificates without examination to any person who has received a bachelor's, master's or doctor's degree from any college in this State having a course of study actually taught in such college of not less than four years in addition to the preparatory work necessary for admission to the University of Michigan, and in addition to or as a part of such work a course in the science and art of teaching of at least one college year of five and a half hours per week, and in connection with this special course each student shall have had opportunity for observation of the actual work done in the grades of and high schools of the public schools. The special course of study herein prescribed shall have been approved by the State Board of Education before any graduate of such institution shall receive a teach-

Special
courses, etc.,
approval of.

ers' certificate, and before any certificate shall be issued to any person the faculty of such college shall give to the State Board of Education its recommendation for each student, stating that in the judgment of the faculty the applicant is entitled to receive such certificate and that the applicant has taken the prescribed course in the science and art of teaching and observation of public school work. Each person making application to the State Board of Education for a teachers' certificate under the provisions of this act shall be thoroughly examined by the faculty of the college and shall be entitled to a diploma from such college. The character of the examination shall be such as to show the qualification and fitness of the person for teaching. If the person making application for such certificate shall furnish to the said State Board of Education satisfactory proof of having taught successfully for three years prior to graduation from said college, said certificate shall be a life certificate, but if such proof is not furnished said board, then the certificate granted shall be for four years only and a life certificate may at any time thereafter be issued by said board upon the filing with the said board of satisfactory proof that the applicant has taught successfully for three years. Such certificate shall entitle the holder to teach in any of the public schools of this State without examination, provided a copy of said certificate shall have been filed or recorded in the office of the legal examining officer or officers of the county or city in which such person is to teach, and such certificate shall be revoked only by the State Board of Education and by said board only for cause after a personal hearing of the case.

Life certificates.

Limited term certificate.

Authority of certificate.

Approved May 28, 1907.

[No. 113.]

AN ACT to prohibit the spearing or taking of fish by any device whatsoever, except with hook and line, in Cedar river in Ingham county, in Grand river in the counties of Ingham and Eaton, and in the waters of Spring brook in the county of Eaton, and in the waters of or inlet or outlet of Pine lake, Ingham county, and to provide a penalty for violations thereof.

The People of the State of Michigan enact:

SECTION 1. It shall hereafter not be lawful for any person to take with spear, or any device whatsoever, except

Unlawful to fish except with hook and line.

Proviso,
minnows.

with hook and line, at any season of the year, any kind of fish from the waters of Cedar river in Ingham county, the waters of Grand river in the counties of Ingham and Eaton, or from the waters of Spring brook in the county of Eaton, or from the waters of or inlet or outlet of Pine lake, Ingham county, Michigan: *Provided*, That this act shall not be construed to prohibit the taking with minnow nets of minnows for bait, or the landing with landing nets of fish caught with hook and line.

Unlawful to
use set lines
through ice.

SEC. 2. No person shall hereafter take fish through the ice on said Pine lake with any kind of set line, and no person shall at any time be entitled to use more than one line at any season of the year to take fish from said lake.

Penalty.

SEC. 3. Any person violating the provisions of this act shall be punished by a fine of not less than five dollars, nor more than twenty-five dollars, and in default of payment thereof, shall be confined in the county jail for a period of not less than ten nor more than thirty days.

This act is ordered to take immediate effect.

Approved May 28, 1907.

[No. 114.]

AN ACT to provide open channels by regulating the setting of nets for fishing in Saginaw bay and Tawas bay.

The People of the State of Michigan enact:

Regulations
for placing of
nets, etc.

SECTION 1. No person shall drive any stakes for fishing purposes nor set, place or extend any pound, trap, stake, or set net of any kind, or any other device for the purpose of taking or catching fish in the waters of the Saginaw bay and Tawas bay, south and west of a line drawn from Tawas Point lighthouse in Iosco county, Michigan, to the Port Austin lighthouse in Huron county, Michigan, excepting as hereinafter provided.

Location of
nets.

SEC. 2. Nets may be set for a distance not to exceed one and three-quarter miles out from the shores of the main land of said Saginaw bay and Tawas bay and from the shores of any island situated therein, and in all cases within the meaning of this act shores shall be deemed to extend out to where the water attains a depth of four feet, and the easterly shore of said waters between Fish Point in Tuscola county and Sand Point in Huron county shall be deemed to extend to

a line drawn from Fish Point to the extreme westerly point of Little DeFoe island; thence to the extreme westerly point of Stony island; thence to the extreme westerly point of North island, and thence to Sand Point, excepting that nets may be set in Sebewaing bay under the restrictions provided in this act south of the southerly line of Wild Fowl bay as determined by act one hundred twenty-four of the public acts of nineteen hundred three.

SEC. 3. Nets may be set from the westerly side of the reef, shoal or bar commonly known among Saginaw bay fishermen as Coryeon reef, commencing on the westerly side of said reef, shoal or bar where the water attains a depth of not less than eleven feet and not more than fourteen feet and extending westerly not to exceed one and three-quarter miles, but no net shall be set less than four miles from the easterly line of said Saginaw bay, as established in section two of this act, and from Sand Point northeasterly, the purpose being to leave an open channel of at least two and one-quarter miles in width for the free and unobstructed passage of fish: *Provided*, No nets shall be set on or from said reef south of a line drawn from said Fish Point in Tuscola county to a point where the section line between sections twelve and thirteen, in township sixteen, north of range four east, would intersect the Saginaw bay if extended. Coryeon reef is further described as that reef, shoal or bar commencing at Coryeon Point in Bay county, Michigan, and extending to Little Charity island. Idem. Proviso.

SEC. 4. Nets may be set out from reefs or shoals northerly and easterly of Charity island a distance not to exceed one and three-quarter miles commencing in water between eleven and fourteen feet in depth. Idem.

SEC. 5. Nets may be set from reefs and shoals westerly of Charity island not to exceed one and three-quarter miles commencing in waters not to exceed twelve feet in depth. Idem.

SEC. 6. Nets may be set for a distance not to exceed one and three-quarter miles from reefs or shoals lying between Oak Point and Port Austin lighthouse in Huron county, commencing in water between eleven feet and fourteen feet in depth. Idem.

SEC. 7. Nets may be set for a distance not to exceed one and three-quarter miles out from the reefs or bars commonly known as Saganing bar, Rifle River bar, and the Pinconning bar commencing in a depth of water of from eleven to fourteen feet. Idem.

SEC. 8. Nets may be set for a distance of not to exceed two hundred and forty rods north of east from the reef or bar commonly known as Point Lookout bar commencing in water between twelve and fourteen feet in depth. Idem.

SEC. 9. This act shall not be construed to deprive any Act how construed.

owner of water front in or around said Saginaw bay or Tawas bay of his riparian rights under the laws of this State, except as to the location of nets thereon as herein provided.

Penalty for violation.

SEC. 10. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction before any court of competent jurisdiction shall be fined a sum not less than fifty dollars nor more than one hundred dollars and costs of prosecution, or by imprisonment in the jail of the county in which such violation shall occur for a term not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

Approved May 28, 1907.

[No. 115.]

AN ACT to amend section two of act one hundred forty-seven of the public acts of eighteen hundred ninety-one, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," same being section four thousand eight hundred nine of the Compiled Laws of eighteen hundred ninety-seven, as amended by act thirty-five of the public acts of nineteen hundred one, and act one hundred sixty-nine of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section two of act one hundred forty-seven of the public acts of eighteen hundred ninety-one, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," same being section four thousand eight hundred nine of the Compiled Laws of eighteen hundred ninety-seven, as amended by act thirty-five of the public acts of nineteen hundred one, and act one hundred sixty-nine of the public acts of nineteen hundred five, is hereby amended to read as follows:

SEC. 2. There shall be elected at the election held on the first Monday in April, nineteen hundred three, and every fourth year thereafter, in each county, one commissioner of schools, whose term of office shall commence on the first day of July, next following his or her election, and who shall continue in office four years, or until his or her successor shall be elected and qualified. The county commissioner of schools elected under the provisions of this section shall file with the county clerk for the county for which he or she is elected, his or her oath of office and bond, the same as provided in section one of this act, and the county clerk shall make the same report to the Superintendent of Public Instruction in all respects as provided in section one of this act: *Provided*, That in the county of Chippewa the commissioner of schools heretofore elected on the first Monday in April, nineteen hundred three, shall hold office until the first day of January, nineteen hundred nine, or until his successor shall be elected and qualified. Hereafter in the said county of Chippewa, a commissioner of schools shall be elected at the general election to be held in November, nineteen hundred eight, and every fourth year thereafter, whose term of office shall commence on the first day of January next following his or her election: *Provided*, That in the county of Lake the commissioner of schools heretofore elected on the first Monday in April, nineteen hundred seven, shall hold office until the first day of January, nineteen hundred eleven, or until his successor shall be elected and qualified. Hereafter in the said county of Lake, a commissioner of schools shall be elected at the general election to be held in nineteen hundred ten and every fourth year thereafter, whose term shall commence on the first day of January next following his or her election.

Election of
county com-
missioner of
schools.

File oath and
bond.

Proviso, as to
Chippewa
county.

Proviso, as to
Lake county.

Approved May 28, 1907.

[No. 116.]

AN ACT to amend sections seven and nine of act one hundred twenty-three of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the maintenance, supervision and government of the Michigan School for the Blind, and to repeal all acts and parts of acts inconsistent herewith," being sections two thousand fifteen and two thousand seventeen of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. That sections seven and nine of act one hundred twenty-three of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the maintenance, supervision and government of the Michigan School for the Blind, and to repeal all acts or parts of acts inconsistent herewith," being sections two thousand fifteen and two thousand seventeen of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

Time may re-
main in school.

SEC. 7. The period in which pupils shall be entitled to remain in said school shall be twelve years, or the board of control may, in cases where they deem it advisable, extend

Dismissal and
transfer.

such time to fourteen years. This section shall not be so construed as to prohibit the said board of control from dismissing any pupil within the such period for persistent disobedience, immoral conduct, or other sufficient cause, neither shall anything in this act operate to prohibit the transfer of any child over the age of eighteen years to the Michigan Employment Institution for the Blind upon consent granted by the board of control of the Michigan School for the Blind, and whenever, in the discretion of said board, the transfer of any such child will be for its best interests or the best interests of the said Michigan School for the Blind.

Duty of secre-
tary of state.

SEC. 9. It shall be the duty of the Secretary of State to make out and forward to the superintendent of the Michigan School for the Blind, on or before the first day of November in each year, on blanks prepared for that purpose, a copy in detail of so much of the statistical information received by him by virtue of any law of this State as relates to the blind. It shall be the duty of each school census enumerator provided for in the general school laws of the State, within the district, ward, or portion thereof, allotted to him, to procure the name, age, residence, and the name and residence of the parents or guardians or persons in control or in charge of each blind child, and of each child whose vision is so defective as to make it impossible to properly educate such child in the public schools, between the ages of seven and nineteen years.

Census
enumerator.

(a) The said enumerators in addition to their duties now prescribed in the general school laws shall make a list of the names of all blind children, or children whose vision is so defective as to make it impossible to properly educate them in the public schools, together with the data herein authorized to be secured, which list shall be verified by oath or affirmation of the person taking such census, by affidavit appended thereto, or inserted thereon, setting forth that it is a correct list of the names of all the children herein designated, residing within the particular school district, ward, or portion thereof. Said affidavit may be made before the township clerk or any other officer authorized by law to take acknowledgments. Blanks for this purpose shall be furnished by the department of public instruction to the secretary of every school board within the State. The said list shall, after it has been properly verified, and within the time prescribed by the general school laws for the filing of census lists, be forwarded by the secretaries of the said school boards to the Superintendent of Public Instruction and a copy thereof shall be filed with the proper officer of the township or city, as the case may be. The said Superintendent of Public Instruction shall, immediately upon receipt of the various lists, prepare and tabulate a report containing the name, age and residence of each blind child, and each child whose vision is so defective as to make it impossible for it to be properly educated in the schools for the seeing within this State, together with the names and residences of the parents, guardian, or person having the control of any such child, which report shall be forwarded to the superintendent of the Michigan School for the Blind.

List of names of blind children, by whom made, verified, etc.

To whom forwarded.

Duty of Supt. Public Instruction.

(b) It shall be the duty of every parent, guardian, or other person, having control or charge of any child or children in the State of Michigan, between the ages of seven and nineteen years who are blind, or whose vision is so defective as to make it impossible to have them properly educated in the schools for the seeing, to send such child, or children, to the Michigan School for the Blind, to be received at that school in accordance with the provisions of the statute, and the rules and regulations which are or may be prescribed by the board of control of said school: *Provided*, That the parents, guardian or person having control of any such child shall not be required to send them to the Michigan School for the Blind when they come within any one of the following classes:

When children to be sent to Michigan School for Blind.

Proviso, exceptions.

(1) Any child or children being educated in any private or parochial school;

(2) Any child or children physically or mentally incompetent of being educated;

(3) Any child or children over the age of seventeen years who have been taught and are employed and are working at a trade;

(4) Any child or children of the age of eighteen years employed at the Michigan Employment Institution for the Blind;

Duty of superintendent of school.

Truant officer.

When superintendent to notify truant officer.

When to enforce act.

Proceedings in indigent cases.

(c) It shall be the duty of the superintendent of the Michigan School for the Blind to furnish to the county commissioner of schools of every county, and to the secretary of the school board in every city or village, a list of the names of such children within such county, city or village, as come within the provisions of this act. Each truant officer shall, when notified by the board of control, or by the superintendent of the Michigan School for the Blind, or by anyone appointed or designated by them, or by the county commissioner of schools, that there are within such village, city or county, as the case may be, children who come within the provisions of this act, investigate all such cases and report the conditions found to exist to the superintendent of the Michigan School for the Blind, and the commissioners of schools of the county. The superintendent of the Michigan School for the Blind shall, upon receipt of such report from any truant officer, determine whether or not the children in question are included within the provisions of this act, and if in his judgment such children are included within the provisions of this act, and are not included within the exempted classes named herein, he shall notify the proper truant officer, who, upon receipt of such notice, shall take such steps against the parents, guardian or other person having charge or control of any such child or children, to enforce the provisions of this act, as are now prescribed in act two hundred of the public acts of nineteen hundred five, as amended, relative to compulsory education under the general school law.

(d) In case when such parent, guardian or other person, on account of indigent circumstances, are unable to furnish such child or children with transportation to and from such school, the board of trustees of the Michigan School for the Blind shall provide such transportation each year, and the said board of trustees may include therewith transportation for such parent, guardian or other person to said school and return, when the child is under twelve years of age, and for that purpose may issue a certificate directed to the Auditor General that said amount is necessary for the benefit of such individuals, who shall draw his warrant upon the State Treasurer therefor, and any such sums are hereby appropriated, and shall be paid out of any moneys in the general fund, not otherwise appropriated, and the Auditor General shall charge all such moneys, so drawn, to the county of which such parent, guardian or other person is a resident, or to which he or she shall belong, to be collected and returned to the general fund; the same as any State taxes are required to be by law.

(e) Anyone refusing to comply with any of the provisions of this act, and any parent, guardian or other person who shall wilfully refuse to send any children coming within the provisions of this act and not herein expressly exempted, to the Michigan School for the Blind, or who shall detain any such children who should be in attendance at said school, shall, upon conviction by any court of competent authority, be deemed guilty of a misdemeanor and shall be subject to such penalties as are prescribed in said act two hundred of the public acts of nineteen hundred five as amended for the violation of any of its provisions. All provisions of said act two hundred of the public acts of nineteen hundred five are made applicable hereto except in so far as they may be inconsistent herewith. Penalty for violation.

This act is ordered to take immediate effect.

Approved May 28, 1907. Act applicable.

[No. 117.]

AN ACT to provide for the incorporation of mutual provident associations of volunteer, part paid and fully paid members of organized fire departments.

The People of the State of Michigan enact:

SECTION 1. Any number of persons not less than seven, being volunteer, part paid or fully paid members of organized fire departments, desirous of being incorporated for the purpose of raising, maintaining and disbursing a fund for the mutual aid of active firemen, to be applied in any or all of the following manners, under such rules and regulations as may be established by the corporation: Number necessary for incorporation.

First, To provide an indemnity for members totally incapacitated from following their employment by accident or disease; Purposes of incorporation.

Second, To provide indemnity to members for the loss of hands or feet, or either hand or foot;

Third, To provide a death benefit not to exceed one hundred dollars for the burial of such deceased fireman; may become a body corporate in pursuance of this act.

SEC. 2. Such persons shall execute under their hands and acknowledge before some person authorized to take acknowledgments of deeds, two or more duplicate articles of agreement, as hereinafter specified, one copy of which shall be filed and recorded in the office of the Commissioner of Insurance, and a record shall be made of such articles, or of a certified copy thereof, in the clerk's office in the county and State where the office of such association for the transaction Articles of agreement, how executed, where filed.

of business may be located; and upon the execution and acknowledgment of such articles, the signers thereof, and those who may thereafter become associated with them, shall become a body corporate, for the purposes set forth in said articles.

Articles of association, what to contain.

SEC. 3. The articles of association shall contain:

First, The names of the persons associating in the first instance and their places of residence;

Second, The name of such corporation and the place where its office for the transaction of business is located;

Third, The objects for which said association is organized and the period for which it is incorporated, not to exceed thirty years;

Fourth, The number of trustees and officers, and the time and place of holding its annual meeting;

Fifth, The terms and conditions of active and honorary membership therein.

Election of officers, filing of bonds, etc.

SEC. 4. Such association shall not commence business until it has fully organized by the election of the proper officers, and the secretary and treasurer shall have given good and sufficient bonds to the association to be held by the president of the association for the faithful performance of their duties, which bonds shall not be less than two thousand dollars and shall be at least twice the amount of money liable to come in their hands as such officers at any one time; said bonds to be approved by the Commissioner of Insurance.

Acquisition of real estate.

SEC. 5. No such corporation shall have power to take or hold any real estate, except such as may be necessary for the transaction of its business and the purposes for which it is organized.

Funds, how used.

SEC. 6. All funds received by any such corporation shall be used in the first instance, or shall be invested and the income thereof used for the exclusive purposes set forth in the articles of association, and no portion of the funds of said corporation shall in any case be otherwise applied. No premium shall be paid to any person for procuring members to such association, and the total amount of salaries paid by any such corporation shall not exceed the sum of two hundred dollars per year for each five hundred members.

Salaries of officers, etc.

Trustees may make rules and regulations.

SEC. 7. The trustees of such corporation shall have power to prescribe the terms, rules and regulations as set forth under the articles of association, upon which members shall be admitted and continued, and entitled to the benefits provided for in the articles of incorporation thereof, and every member shall be deemed to have assented to such terms and conditions by the act of accepting membership.

Benefits, not subject to claims of creditors.

SEC. 8. When, under the rules of any society formed under this act, any money shall become due for the use or benefit of a member, such money shall be free from all claims by the creditors of such member.

SEC. 9. The members of any association formed under this act, by a two-thirds vote at any regular meeting, may elect any person to be an honorary member of the society, but no honorary member shall hold office or receive any money benefits from such association. Election of honorary members.

SEC. 10. Every association doing business under this act shall annually, on or before the first day of March in each year, report to the Commissioner of Insurance the names and addresses of its president, secretary, treasurer and other officers, and the location of the principal office of such society in this State; and shall make any further statement of its membership and financial transactions for the year ending on the preceding thirty-first day of December, with such other information relating thereto as said Commissioner may deem necessary for a proper exhibit of its business and standing; and the Commissioner of Insurance may at any other time require any further statement he may deem necessary to be made relating to the proper exhibit of the business of such society or association. For the purpose of verifying any such statement, or of ascertaining the true condition of the association making it, the Commissioner of Insurance may at any time make, or cause to be made, an examination of the affairs of any such association doing business under this act, at the expense of such association. Annual report.

Examination of affairs.

SEC. 11. Upon the filing of such annual statement, if the commissioner shall find that the association making the same is still organized and doing business in conformity to the provisions of this act, and that the financial condition of the association is satisfactory, and the society has complied with the provisions of the law, he shall issue his certificate authorizing such association to do business in this State for a period of one year from the first day of April of the year of its issuance, unless sooner revoked. Certificate of authority.

This act is ordered to take immediate effect.

Approved May 29, 1907.

[No. 118.]

AN ACT to make appropriations for the State Public School for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the current expenses of the State Public School, for the fiscal year ending June thirty, nineteen hundred eight, the sum of forty thou- Current expenses.

For specific purposes.

Proviso as to obtaining advanced moneys.

How paid.

Tax clause.

sand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of forty thousand dollars.

SEC. 2. The further sum of thirteen thousand two hundred ninety dollars is hereby appropriated by amounts and for purposes as follows: Eleven thousand nine hundred ninety dollars for improvements and repairs; five hundred dollars for furniture and bedding; five hundred dollars for library books and supplies; and three hundred dollars for industrial training supplies: *Provided*, That the board of control of said school may obtain money under this section before July first, nineteen hundred seven, in such amounts as they may by requisition certify to the Auditor General are necessary for immediate use, which amounts thus advanced shall be deducted from the total amount appropriated when the appropriation becomes available.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury, to the treasurer of the State Public School, at such times and in such amounts as the general accounting laws of the State prescribe and the disbursing officer shall render his accounts to the Auditor General thereunder.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of fifty-three thousand two hundred ninety dollars and for the year nineteen hundred eight the sum of forty thousand dollars, which sum when collected shall be credited to the general fund to reimburse the same for the moneys hereby appropriated.

This act is ordered to take immediate effect.

Approved June 4, 1907.

[No. 119.]

AN ACT to authorize the Auditor General to deed certain delinquent tax lands to the city of Grand Rapids.

The People of the State of Michigan enact:

Delinquent tax lands when, to and by whom deeded.

Lands specified.

SECTION 1. Upon filing with the Auditor General due proof that the city of Grand Rapids is the owner of the fee of the lands hereinafter specified, and upon receiving payment of the amount due for State taxes, interest and charges thereon, the said Auditor General shall, within one year from the date this act shall take effect, deed to the city of Grand Rapids the following described lands, to-wit: Lots one, two, three, four, five, six, seven, eight, nine, ten, eleven and twelve, and the east nine feet of lot thirteen, all in block eighteen, and lots twenty-one, twenty-two, twenty-

three, twenty-four, twenty-five and twenty-six and lot five, all in block seventeen, all in Tanner Taylor's addition to the city of Grand Rapids. Said deed to convey the entire tax lien of the State, county, city and school district. Deed to convey tax lien.

This act is ordered to take immediate effect.

Approved June 4, 1907.

[No. 120.]

AN ACT making appropriations for special purposes for the State House of Correction and Branch Prison in the Upper Peninsula for the fiscal year ending June thirty, nineteen hundred eight, and to provide a tax therefor.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the State House of Correction and Branch Prison in the Upper Peninsula, the sum of nine thousand eight hundred dollars for purposes and amounts as follows: Five hundred ninety dollars for farm, garden, stock and grounds; six hundred seventy-five dollars for engineer's department; six hundred twenty-five dollars for cold storage room; one hundred sixty dollars for extractor for laundry; five hundred dollars for galvanized cornice; four hundred fifty dollars for ceiling and plastering engine room; six hundred dollars for approach to gate; two thousand dollars for general repairs; four thousand two hundred dollars for the following described land, namely: Southeast quarter of southwest quarter and lots two and four, all in section thirty-six, town forty-eight north, range twenty-five west, Marquette county, Michigan, being ninety-two and fifty one hundredths acres more or less: *Provided*, That if the amount designated in this section for any one purpose stated be insufficient to complete the work or purchase, any surplus remaining after the completion of the other work or purchase specified in this section may, by obtaining the consent of the State Board of Corrections and Charities and of the Auditor General in writing before any expense in excess of the specified appropriation is incurred, be used in the amount or accounts where such deficiency seems unavoidable; the intent of this proviso being to make the entire nine thousand eight hundred dollars available for the purposes stated herein if in the judgment of the State Board of Corrections and Charities and of the Auditor General, it is deemed advisable to make the transfers for which provision is hereby made, Amount of appropriation.

Purposes.

Proviso as to transfer of appropriations.

How and
when paid.

SEC. 2. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the warden of the State House of Correction and Branch Prison in the Upper Peninsula, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder.

Tax clause.

SEC. 3. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of nine thousand eight hundred dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 4, 1907.

[No. 121.]

AN ACT to provide for the appointment of a probate register for the county of Keweenaw, to prescribe his duties and to fix his compensation.

The People of the State of Michigan enact:

Probate
register, by
whom ap-
pointed,
salary.

SECTION 1. The board of supervisors of Keweenaw county shall have power to authorize the probate judge to appoint a probate register for said county, who shall receive such annual salary, payable monthly from the county treasury, as the board of supervisors shall prescribe, which shall be not to exceed one thousand dollars.

Term of office,
duties.

SEC. 2. Such probate register shall be appointed by the probate judge and shall hold office during the pleasure of such probate judge, and shall take and subscribe the constitutional oath and file the same with the county clerk, when he shall have power to receive petitions, fix the time for hearings, administer oaths, and do all other acts required of the probate judge, except judicial acts, and shall receive no other fees than are now prescribed by general law for judges of probate.

This act is ordered to take immediate effect.

Approved June 4, 1907.

[No. 122.]

AN ACT relative to gifts for religious, educational, charitable and benevolent purposes.

The People of the State of Michigan enact:

SECTION 1. No gift, grant, bequest or devise to religious, educational, charitable or benevolent uses which shall in other respects be valid under the laws of this State, shall be invalid by reason of the indefiniteness or uncertainty of the persons designated as the beneficiaries thereunder in the instrument creating the same, nor by reason of the same contravening any statute or rule against perpetuities. If in the instrument creating such a gift, grant, bequest or devise, there is a trustee named to execute the same, the legal title to the lands or property given, granted, devised or bequeathed for such purposes, shall vest in such trustee. If no trustee shall be named in said instrument, or if a vacancy occurs in the trusteeship, then the trust shall vest in the court of chancery for the proper county, and shall be executed by some trustee appointed for that purpose by or under the direction of the court; and said court may make such orders or decrees as may be necessary to vest the title to said lands or property in the trustee so appointed.

Gift, grant, etc., not invalidated for certain reasons.

Title to vest in trustee, if named.

When court to appoint trustee.

SEC. 2. The court of chancery for the proper county shall have jurisdiction and control over the gifts, grants, bequests and devises in all cases provided for by section one of this act. The prosecuting attorney of the county in which the court of chancery shall have jurisdiction and control shall represent the beneficiaries in all cases where they are uncertain or indefinite, and it shall be his duty to enforce such trusts by proper proceedings in the court, but he shall not be required to perform any duties in connection with such trusts in any court outside of this State.

Jurisdiction of chancery court.

Of prosecutor.

Duty of.

Approved June 4, 1907.

[No. 123.]

AN ACT to amend act number one hundred ninety-eight of the public acts of nineteen hundred five, entitled "An act to prohibit the use of ferrets in hunting or killing rabbits in certain counties in this State."

The People of the State of Michigan enact:

SECTION 1. Section one of act number one hundred ninety-eight of the public acts of nineteen hundred five, entitled

Section amended.

“An act to prohibit the use of ferrets in hunting or killing rabbits in certain counties of this State,” is hereby amended to read as follows:

Use of ferrets
prohibited in
certain
counties.

SEC. 1. It shall hereafter be unlawful for any person or persons to use a ferret for the purpose of hunting or killing rabbits in the counties of Tuscola, Lapeer, Cass, Kalamazoo, Saginaw, Paw Paw township in Van Buren, Charlevoix, Grand Traverse, Ingham, except in the city of Lansing and Lansing and Meridian townships, Lake, Livingston, Washtenaw, Calhoun, Ottawa, Clinton, Kent, Macomb, Barry, Jackson, Monroe, and in the county of Allegan except in the townships of Saugatuck, Ganges and Casco.

Approved June 4, 1907.

[No. 124.]

AN ACT requiring corn huskers to be protected by an automatic feeder or other safety device, and making the sale or use thereof, unless so protected, a misdemeanor.

The People of the State of Michigan enact:

Safeguard on
corn huskers.

SECTION 1. Hereafter it shall be unlawful for any person, partnership, association or corporation, or for any officer or agent thereof, to sell or offer for sale, or to use within the State of Michigan, the machine commonly known as a corn husker, unless the same is safeguarded by an automatic feeder or other safety device, that shall compel the person, or persons, feeding said machine, to stand at a reasonably safe distance from the snapping rollers, and designed effectually to protect the person or persons operating the same from bodily injury while engaged in such operation.

Penalty for
violation.

SEC. 2. Any person, partnership, association or corporation, or officer or agent thereof, who shall be found guilty of a violation of the provisions of section one of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding ninety days, or by both such fine and imprisonment, in the discretion of the court.

Approved June 5, 1907.

[No. 125.]

AN ACT to amend section fifteen of act number one hundred ninety-four of the public acts of eighteen hundred eighty-nine, entitled "An act to revise and consolidate the laws relative to the State Board of Education," being section one thousand eight hundred twenty-six of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section fifteen of act number one hundred ninety-four of the public acts of eighteen hundred eighty-nine, entitled "An act to revise and consolidate the laws relative to the State Board of Education," being section one thousand eight hundred twenty-six of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

SEC. 15. Said board shall hold at least two meetings each year, at which they shall examine teachers, and shall grant certificates to such as have taught in the schools of the State at least two years and who shall, upon a thorough and critical examination in every study required for such certificate, be found to possess eminent scholarship, ability and good moral character. Such certificate shall be signed by the members of said board, and be impressed with its seal, and shall entitle the holder to teach in any of the public schools of this State without further examination, and shall be valid for life unless revoked by said board. No certificate shall be granted except upon the examination herein prescribed: *Provided*, That the said State Board of Education may, in its discretion, indorse State teachers' certificates, granted upon examinations, normal school diplomas or certificates, or other State certificates granted in other states, if it be shown to the satisfaction of said board that such certificates are for life and that the examinations required or courses of study pursued are fully equal to the requirements of this State. Meetings of board to grant certificates.

Certificate.

Proviso, indorsement of certain certificates.

Approved June 5, 1907.

[No. 126.]

AN ACT to amend section four of act number one hundred forty-four of the public acts of nineteen hundred one, entitled "An act to provide for the establishment and maintenance of rural high schools."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section four of act number one hundred forty-four of the public acts of nineteen hundred one, entitled "An act to provide for the establishment and maintenance of rural high schools," is amended to read as follows:

Board of
trustees,
meetings.

SEC. 4. Said board of trustees shall meet on the third Monday in April of each year and organize by electing one of the trustees as president. Regular meetings of the board shall be held on the second Mondays of May, August, November and February in each year. Special meetings may be called upon five days' notice by the president or secretary.

Powers.

The board shall have power:

- (a) To supervise and visit the school;
- (b) To admit all children of the township above the sixth grade and to admit and provide rates of tuition for non-resident pupils if they so elect; but nothing in this act shall be so construed as to limit the operation of the laws of this State relative to the compulsory education of children, or the liability of children to attend school thereunder, and it shall be the duty of the officers charged by law to enforce the provisions of said laws relative to the compulsory education of children, to enforce in like manner the attendance at such high schools of children admitted to attendance thereat under the terms of this act;
- (c) To select and adopt text-books;
- (d) To appoint legally qualified teachers;
- (e) To fix wages, make general rules and regulations for the control of the school, suspend or expel pupils, fix the time of school which will not be more than ten months nor less than seven in any one year;
- (f) To rent or to purchase and hold real estate for such township high school, build and furnish schoolhouses, determine location of grounds and building, which shall be as near the center of the township as practicable, according to sanitary conditions, and to receive and hold bequests and gifts for the benefit of the school, and to dispose of property belonging to the district subject to the provisions hereinafter named;
- (g) To provide a course of study which shall be approved by the Superintendent of Public Instruction and the president of the Michigan Agricultural College, and shall not consist of more than four years' work; said course of study may

include instruction in manual training, domestic science, nature study and the elements of agriculture;

(h) To estimate and vote the amount of tax necessary to support the school at a meeting previous to October first in each year and report the same to the supervisor, which amount shall be spread upon the tax roll the same as other district taxes, and in their discretion borrow money for current expenses, which amount shall not exceed fifty per cent of the amount of tax voted;

(i) To publish annually in one newspaper of the township or county a statement of the proceedings of the board meetings and an itemized account of all receipts and expenses, and file a copy of the same in the office of the county school commissioner and State Superintendent of Public Instruction within sixty days of the date of publication of the same;

(j) To call special elections or meetings of the township, if necessary, to vote on the amount of money to be raised for the purchase of grounds and erection of buildings and for such other purposes as may be necessary within the authority of the provisions of this act or of the general school laws.

This act is ordered to take immediate effect.

Approved June 5, 1907.

[No. 127.]

AN ACT to amend section seven and section eight of act one hundred forty-seven of the public acts of eighteen hundred ninety-one, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being sections four thousand eight hundred fourteen and four thousand eight hundred fifteen of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section seven and section eight of act one hundred forty-seven of the public acts of eighteen hundred ninety-one, entitled "An act to provide for the election of a county commissioner of schools, for the appointment of school examiners, and to define the duties and fix the compensation for the same, and to repeal all existing acts or parts of acts conflicting with the provisions of this act," and acts amendatory thereof, being sections four thousand Sections amended.

eight hundred fourteen and four thousand eight hundred fifteen of the Compiled Laws of eighteen hundred ninety-seven, are amended to read as follows:

Revocation
of certificates.

Duty of com-
missioner,
when charges
preferred.

Duty of
board at
hearing.

Proviso.

Proviso as to
non-appear-
ance of per-
son sum-
moned.

Temporary
suspension of
certificate.

SEC. 7. The board of school examiners may suspend or revoke any teacher's certificate issued by them for neglect of duty, incompetency, or immorality, or for any other reason which would have justified said board in withholding the same when given, and said board may suspend the effect of any teacher's certificate granted by the county commissioner of schools which said certificate licenses the holder thereof to teach in a specified district for which it shall be granted. Whenever written charges accusing any teacher of neglect of duty, incompetency, or immorality shall be filed with the county commissioner of schools, said commissioner shall immediately notify said accused teacher that charges have been filed against him and shall attach to such notice a certified copy of said charges together with the name or names of the person or persons filing the same, and said commissioner may, and on the written demand of the accused teacher shall, within twenty days after the filing of said charges, call a meeting of the board of school examiners of the county and shall summon the teacher, against whom charges have been preferred, and also summon any witnesses who may have knowledge of the facts, to appear before said board of examiners on the date mentioned in the summons. Said summons shall have the force of a summons or subpoena at law. On the day set for the meeting of the board of examiners, said board shall proceed to hear the case. The chairman of said board shall have authority to administer an oath to the several witnesses and examine them under oath if he deems it advisable. The board of examiners shall proceed to examine the party charged and the witnesses for and against said party, and if it shall appear that the charges made are true, then the said board shall have authority to suspend or revoke the certificate of the accused: *Provided*, That no certificate shall be suspended or revoked without a personal hearing, unless the holder thereof shall, after a reasonable notice, neglect or refuse to appear before the said board for that purpose: And *Provided further*, That any person summoned to appear before the board of examiners for the purposes mentioned herein and who shall fail to appear before said board on the day specified in the summons, shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction, shall be fined a sum not less than five dollars nor more than twenty-five dollars, or by imprisonment in the county jail for not more than twenty days or both such fine and imprisonment in the discretion of the court. The county commissioner of schools in any county shall have authority to temporarily suspend the force of any teacher's certificate when from his personal inspection of the work of said teacher, or from his personal knowledge, he is satisfied that

such teacher has been guilty of wilful neglect of duty or is incompetent to instruct or govern the school, or has been guilty of gross immorality. The county commissioner of schools shall, upon suspending the force of any teacher's certificate, immediately, and within ten days thereafter, call a meeting of the board of school examiners and summon said teacher to appear before said board to show cause why his or her certificate should not be indefinitely suspended or revoked: *Provided further, however,* That it shall be the duty of the board of school examiners to file in the office of the county school commissioner its decision within ten days after the close of any hearing above mentioned, and it shall be the duty of the county school commissioner within five days after the filing of said decision to mail a copy thereof to said teacher: *Provided further, however,* That any teacher who feels aggrieved at the decision of the county board of school examiners may, within twenty days after the filing of such decision, take an appeal to the probate court of said county, who is hereby authorized to hear and determine said cause.

To summon teacher before board.

Proviso, as to filing decision.

Proviso, appeal to probate court.

SEC. 8. It shall be the duty of the county commissioner: First, Immediately after his or her qualification as commissioner, to send notice thereof to the Superintendent of Public Instruction and to the chairman of each township board of school inspectors of the county;

Duty of county commissioner.
Notice of qualification.

Second, To keep a record of all examinations held by the board of school examiners and to sign all certificates and other papers and reports issued by the board, and to keep a record of all meetings of the board of examiners and of all hearings for the suspension or revocation of any teacher's certificate, and to call meetings of the board of examiners at such other times than those mentioned in section five of this act as he may deem best;

Record of meetings, etc.

Third, To receive the institute fees provided by law and to pay the same to the county treasurer quarterly, beginning September thirtieth in each year;

Institute fees.

Fourth, To keep a record of all certificates granted, suspended, revoked or transferred by the said board or commissioner, showing to whom issued, together with the date, grade, duration of each certificate, and, if suspended or revoked, with the date and the reason therefor;

Record of certificates.

Fifth, To furnish, previous to the third Monday in July in each year, to the township clerk of each township in the county, a list of all persons legally authorized to teach in the county at large during the preceding school year, and in such township, with the date and term of each certificate, and if any have been suspended or revoked, the date of such suspension or revocation;

List of authorized teachers.

Sixth, To visit each of the schools in the county at least once in each year and to examine carefully the discipline, the mode of instruction, the text-books in use, the apparatus belonging to the school, the library, the progress and proficiency

Visit schools.

- of the pupils, the skill and efficiency of the teacher, the condition of the school property, and whether the attendance at school is in compliance with law, and to make a careful record of these items and report the same to the director of each district: *Provided*, That in counties containing one hundred twenty or more districts, the commissioner of schools is hereby authorized to appoint such assistants as may be necessary, who shall perform such duties as said commissioner shall direct: *Provided further*, That in counties containing less than one hundred twenty districts, such assistants shall be appointed with the consent of the board of supervisors: *Provided further*, That the whole expense incurred by such assistants shall not exceed the sum of ninety dollars in one year in any county;
- Proviso as to assistants.
- Idem.
- Proviso, as to expense.
- Counsel with teachers, etc.
- To improve schools, conductor of institutes.
- To examine annual reports, etc.
- Subject to rules of Sup't of Public Instruction.
- Other duties.
- Seventh, To counsel with the teachers and school boards as to the course of study to be adopted and pursued, and as to any improvement in the discipline, instruction and management of the school, and he may examine and audit the books and records of any school district at any time when directed to do so by the Superintendent of Public Instruction or by application of any school board;
- Eighth, To promote, by such means as he or she may devise, the improvement of the schools in the county, and the elevation of the character and the qualifications of the teachers and officers thereof, and act as assistant conductor of institutes appointed by the Superintendent of Public Instruction, and perform such other duties pertaining thereto as said superintendent shall require;
- Ninth, To receive the duplicate annual reports of the several boards of school inspectors, examine into the correctness of the same, requiring them to be amended when necessary, endorse his or her approval upon them, and immediately thereafter, and before the fifteenth day of September in each year, transmit to the Superintendent of Public Instruction one copy of each of said reports and file the other in the office of the county clerk;
- Tenth, To be subject to such instructions and rules as the Superintendent of Public Instruction may prescribe; to receive all blanks and communications that may be sent to him or her by the Superintendent of Public Instruction, and to dispose of the same as directed by the said superintendent; and to make annual reports at the close of the school year to the Superintendent of Public Instruction of his or her official labors, and of the schools of the county, together with such other information as may be required;
- Eleventh, To perform such other duties as may be required of him or her by law, and at the close of the term of office to deliver all records, books, and papers belonging to the office to his or her successor.

Approved June 5, 1907.

[No. 128.]

AN ACT permitting the catching or taking by use of net of German carp, red horse, suckers, mullets and dog fish, in the waters of Lake St. Clair bordering on this State.

The People of the State of Michigan enact:

SECTION 1. It shall be lawful to catch or take by use of net, German carp, red horse, suckers, mullets and dog fish in the waters of Lake St. Clair bordering on this State: *Provided*, The same shall be done under such rules and regulations as may be adopted by the State Game, Fish and Forestry Warden in relation thereto: And *Provided further*, That said officer is hereby authorized to make such rules and regulations in relation thereto as are usual and proper, including rules and regulations for inspection of such fishing, and the requirement of a bond running to the State Game, Fish and Forestry Warden, conditioned for the payment of a penalty of fifty dollars for each and every violation of this and other laws for the protection of fish: *Provided further*, That no nets of a less size mesh than four inches, extension measure, as used, shall be permitted, and no kind of fish, save German carp, red horse, suckers, mullets and dog fish, may be lawfully taken and retained by any one fishing under the provisions of this act.

Certain species of fish may be taken by net.
Proviso as to rules, etc.
Proviso as to bond.
Proviso as to size of nets, and kind of fish.

SEC. 2. Any person violating the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine of not exceeding one hundred dollars or by imprisonment in the county jail for a period not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

Penalty.

This act is ordered to take immediate effect.

Approved June 5, 1907.

[No. 129.]

AN ACT to amend section fourteen of act number two hundred six of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the land taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one, and all other acts and parts of acts in anywise contravening the provisions of this act." Approved June first, eighteen hundred ninety-three, as amended by act number thirty-two of the public acts of eighteen hundred ninety-nine, approved April eighth, eighteen hundred ninety-nine, being section three thousand eight hundred thirty-seven of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section fourteen of act number two hundred six of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the land taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for such taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one, and all other acts and parts of acts in anywise contravening the provisions of this act," approved June first, eighteen hundred ninety-three, as amended by act number thirty-two of the public acts of eighteen hundred ninety-nine, approved April eighth, eighteen hundred ninety-nine, being section three thousand eight hundred thirty-seven of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Exceptions.

SEC. 14. The excepted cases referred to in the preceding section are as follows, viz:

Non-residents,
property.

First, All goods and chattels situate in some township other than where the owner resides shall be assessed in the township where situate, and not elsewhere, if the owner or person having control thereof hires or occupies a store, mill, dockyard, piling ground, place for sale of property, shop, office, mine, farm, place of storage, manufactory or warehouse therein, for use in connection with such goods and chattels: *Provided*, That the procuring any such property

Proviso.

to be manufactured upon contract shall be deemed the hiring a mill or manufactory within the meaning of this section;

Second, All animals kept throughout the year in some township other than where the owner resides shall be assessed to such owner or the person in possession in the township where kept; Animals.

Third, All shares in banks shall be assessed to their owners in the township, village or city where the bank is located: Bank shares.
Provided, That the shares owned by a person residing in the county where the bank is located shall be assessed in the township or city where he resides; Proviso.

Fourth, The personal property of minors under guardianship shall be assessed to the guardian in the township where he resides, and the personal property of every other person under guardianship shall be assessed to the guardian in the township where the ward resides; Property of minors, etc.

Fifth, The personal property belonging to the estates of deceased persons, in the hands of the executors, administrators or trustees, appointed under the last will and testament of such deceased person, or by any court of competent jurisdiction, shall be assessed to them in the township and in the school district where the deceased last dwelt, until they shall give notice to the supervisor or other assessing officer that the estate has been distributed to the legatees or beneficiaries or other persons entitled thereto. If such deceased was a non-resident of the State such property shall be assessed in the township where situated, to such executors, administrators or trustees, or to the person in possession; Estates of deceased persons.

Sixth, Personal property under the control of a trustee or agent, whether a corporation or a natural person, may be assessed to such trustee or agent in the township where he resides, except as otherwise provided. Personal property mortgaged or pledged shall be deemed the property of the person in possession thereof and may be assessed to him; Personal property in trust or mortgaged.

Seventh, All personal property of any person situated upon, also all buildings situated and being upon the lands of the United States or of this State, shall be deemed personal property for the purposes of taxation and assessment, and shall be assessed as personal property, to the owner or occupant thereof, in the city, village or township in which such lands are situated, and such buildings shall be subject to sale for taxes in the same manner as herein provided for the sale of personal property: *Provided, however*, It shall not be necessary to remove any such buildings for the purpose of sale; Property on public lands.

Eighth, Personal property of non-residents of the State, and all forest products owned by residents or non-residents, or estates of deceased persons, shall be assessed in the township or ward where the same may be, to the person having control of the premises, store, mill, dock, yard, piling ground, place of storage, or warehouse where such property is situated in such township, on the second Monday of April of Proviso. Personal property of non-residents, forest products.

Property in transit.

Recovery by persons and corporations.

Proviso, release by owner.

the year when the assessment is made, except that where such property is in transit to some place within the State it shall be assessed in such place, except that where such property is in transit to some place without the State it shall be assessed at the place in this State nearest to the last boom or sorting gap of the stream in or bordering on this State in which said property will naturally be last floated during the transit thereof, and in case the transit of any such property is to be other than through any water course in or bordering on this State, then such assessment shall be made at the point where such property will naturally leave the State in the ordinary course of its transit; and such property so in transit to any place without the State shall be assessed to the owner or the person, persons, or corporation in possession or control thereof, and in case such transit will pass said logs through the booms or sorting gaps, or into the places of storage of any person, persons, or corporation operating upon any such stream, then such property may be assessed to such person, persons, or corporation; and the person, persons or corporations so assessed for any such property belonging to a non-resident of this State shall be entitled to recover from the owner of such property, by a suit in attachment, garnishment or for money had and received, any amount which the person, persons or corporations so assessed are compelled to pay because of such assessment, and shall have a lien upon said property as security against loss or damage because of being so assessed for the property of another, and may retain possession of such property until such lien is satisfied: *Provided further*, That any owner or person interested in said property may secure the release of the same from such lien by giving to the person, persons or corporations so assessed a bond in an amount double the probable tax to be assessed thereon, but not less than the sum of two hundred dollars, with two sufficient sureties, conditioned for the payment of such tax by said owner or person interested, and the saving of the person, persons or corporation assessed from payment thereof, and from costs, damages and expense on account of his non-payment, which bond as to amount and sufficiency of sureties shall be approved by the county clerk of the county in which the assessment is made.

Approved June 5, 1907

[No. 130.]

AN ACT to provide for refunding to purchasers the price paid to the State on sale of land by the Commissioner of the State Land Office, under section one hundred thirty-one of act two hundred six of public acts of eighteen hundred ninety-three, as amended by act one hundred forty-one of public acts of nineteen hundred one, in cases where the land sold did not belong to the class of lands liable to sale thereunder; for cancelling the conveyance of such lands to the State and restoring the tax liens thereon in favor of the State, which were erroneously cancelled.

The People of the State of Michigan enact:

SECTION 1. Any purchaser of land from the State of Michigan at any sale heretofore made, or that may be hereafter made by the Commissioner of the State Land Office under section one hundred thirty-one of act two hundred six of public acts of eighteen hundred ninety-three, as amended by act one hundred forty-one of public acts of nineteen hundred one, may petition the Auditor General for a refund of the purchase price paid by him for such land in cases where the land so purchased did not belong to the class of lands liable to sale by such commissioner under said acts.

Purchaser of land from state, who to petition for refund of price.

SEC. 2. In any case where it shall be shown by due proof, satisfactory to the Auditor General, that land purchased by the petitioner in manner set forth in paragraph one of this act was in fact actually occupied by the person having the record title thereto at the time of making and recording the determination relating thereto by the Auditor General and the Commissioner of the State Land Office under the provisions of act one hundred seven of public acts of eighteen hundred ninety-nine, and at the time such sale was in fact made to the petitioning purchaser, and that such purchaser never obtained possession or any beneficial use of such land and that he acquired no title thereto by such purchase for the reason that, at the date of such determination and such sale, the same was in fact occupied land, within the meaning of the statutes under which said sale was assumed to be made to such purchaser, the Auditor General shall cause the money paid therefor to the State of Michigan to be refunded to the purchaser with interest thereon at six per cent per annum.

Purchase price, when to be refunded.

SEC. 3. In case the deed executed and delivered to the petitioning purchaser by the Commissioner of the State Land Office on such sale shall not have been recorded, the same shall be delivered to the Auditor General for cancellation. If such deed has been recorded such petitioning purchaser shall execute and deliver to the Auditor General a release of

Deed, when to be canceled.

When to be released.

said land to the State of Michigan and shall pay to the Auditor General the cost of recording the same in the office of the register of deeds of the proper county, and it shall be the duty of the Auditor General to cause such release to be so recorded.

Certificate of error, how and by whom issued, when recorded.

Tax liens restored to State.

Share of refund proportioned.

SEC. 4. The Auditor General shall thereupon cancel the conveyance of said land made by the Auditor General to the State of Michigan by issuing a certificate of error in such proper legal form as may be required by the recording laws of the State of Michigan, and shall cause such certificate of error to be recorded in the office of the register of deeds of the proper county; and shall thereupon restore the tax liens in favor of the State of Michigan upon said land, which were erroneously cancelled at the time of the conveyance of the same to the State by the Auditor General, and said tax liens and the State bids thereon shall continue and shall have the same force and validity in every respect as if such erroneous cancellation had not been made.

SEC. 5. The State and county and all municipal bodies within such county shall respectively bear and be charged with their share of such refund in the same proportion that the proceeds of any sale cancelled under the provisions of this act was divided among or apportioned to said several bodies.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 131.]

AN ACT to amend act number six of the public acts of eighteen hundred eighty-five, entitled "An act to provide for the incorporation of mutual insurance companies, to insure against cyclones, windstorms and tornadoes, and defining their powers and duties," and the acts amendatory thereof, by adding one new section thereto, to stand as section nine, providing for the giving of notice of intention to amend the charter or articles of association, and legalizing certain amendments heretofore made by companies organized under said act.

The People of the State of Michigan enact:

Section added.

SECTION 1. Act number six of the public acts of eighteen hundred eighty-five, entitled "An act to provide for the incorporation of mutual insurance companies, to insure against cyclones, windstorms and tornadoes, and defining their powers and duties," and the acts amendatory thereof, is hereby

amended by adding thereto one new section to be known as section nine, which shall read as follows:

SEC. 9. Any company incorporated under this act shall have the power to amend its articles of association or charter, at any regular annual meeting held according to the provisions of said charter or articles of association, and upon giving notice of an intention so to do, and of the time and the place of the meeting for that purpose; such notice shall be published for five successive weeks in some newspaper published weekly that has a general circulation throughout the State, and in some newspaper published weekly in the county in which the business office of said company is located, or such notice of intention may be given by printed circulars, postal cards or letters, to be addressed to all members, officers, trustees and directors of such company, and deposited in the postoffice with postage fully paid thereon, at least three weeks previous to such meeting. Any company organized under this act may amend its charter or articles of association at a special meeting called for that purpose, in accordance with the provisions of its charter, and by giving the notice of such intention to amend in the manner authorized by this section. All amendments made to the charter or articles of association of any company heretofore organized under this act, after a notice of intention to amend the said charter or articles of association has been given in the manner herein provided, are hereby legalized and are hereby declared to be legal and valid. All amendments hereafter made shall be submitted to the Attorney General and his certificate of compliance with the law obtained; and said amendments shall be filed in the office of the Commissioner of Insurance and also with the clerk of the county in which the home office of the company is located.

Amendment
to articles of
association.

Notice of
intention.

Amendment
at special
meeting.

Amendments
legalized.

Submitted to
Att'y General.

Where filed.

Approved June 12, 1907.

[No. 132.]

AN ACT to amend section five of act one hundred nineteen of the public acts of eighteen hundred seventy-seven, being section eight thousand four hundred twenty-three of the Compiled Laws of eighteen hundred ninety-seven, entitled "An act to authorize the formation of corporations for the prevention of cruelty to animals and fowls."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section five of act one hundred nineteen of the public acts of eighteen hundred seventy-seven, being section eight thousand four hundred twenty-three of the Compiled Laws of eighteen hundred ninety-seven, entitled "An act to authorize the formation of corporations for the prevention of cruelty to animals and fowls," is hereby amended to read as follows:

Amount of
property
allowed
corporation.

SEC. 5. Any corporation organized under this act shall have power to take, hold and convey real and personal property, not exceeding one hundred fifty thousand dollars in the aggregate.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 133.]

AN ACT to provide for the protection of the keepers of hotels, inns, restaurants and cafes and to repeal act one hundred ninety-six of the public acts of eighteen hundred eighty-five as amended.

The People of the State of Michigan enact:

Unlawful to
defraud.

SECTION 1. Any person who shall put up at any hotel, inn, restaurant or cafe as a guest and shall procure any food, entertainment or accommodation without paying therefor, except when credit is given therefor by express agreement, with intent to defraud such keeper thereof out of the pay for the same, or who, with intent to defraud such keeper out of the pay therefor, shall obtain credit at any hotel, inn, restaurant or cafe for such food, entertainment or accommodation, by means of any false show of baggage or effects brought thereto, shall, upon conviction thereof, upon the complaint of a keeper of a hotel, inn, restaurant or cafe, before a justice of the peace, be adjudged guilty of a misdemeanor and shall be punished by imprisonment in the county

Penalty.

jail not exceeding thirty days, or by fine not exceeding one hundred dollars, or by both fine and imprisonment in the discretion of the justice.

SEC. 2. Proof that lodging, food or other accommodation was obtained by false pretense or by false or fictitious show or pretense of baggage, or that the person refused or neglected to pay for such food, lodging or other accommodation on demand, or that he absconded or left the premises without paying or offering to pay for such food, lodging or other accommodation, or that he surreptitiously removed or attempted to remove his baggage shall be prima facie proof of the fraudulent intent mentioned in section one of this act. Proof of fraudulent intent.

SEC. 3. Act number one hundred ninety-six of the public acts of eighteen hundred eighty-five, as amended, and all acts and parts of acts contravening the provisions of this act are hereby repealed. Act repealed.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 134.]

AN ACT to protect game in the public shooting grounds as designated in act sixty-six, public acts of eighteen hundred ninety-one, in the township of Fairhaven, Huron county.

The People of the State of Michigan enact:

SECTION 1. It shall be unlawful for any person or persons to kill, destroy or take, by any means whatsoever within the limits of the public shooting grounds, as designated in act sixty-six, public acts of eighteen hundred ninety-one, any muskrat, mink or other fur-bearing animals, except during the months of November and December of each year. Fur-bearing animals, when may be killed, etc.

SEC. 2. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof, may be punished by a fine of not to exceed thirty dollars for each offense, and in default of payment thereof, by imprisonment in the county jail not to exceed thirty days, or by both such fine and imprisonment, in the discretion of the court. Penalty.

SEC. 3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed. Acts repealed.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 135.]

AN ACT to prohibit the taking or catching or attempting the taking or catching of fish of any kind, in waters of Black river, Belle river and Pine river, within the county of St. Clair, Michigan, by pound or gill net, or any set net of any description, and to repeal act number fifty of the public acts of nineteen hundred five, and all other acts contravening the provisions of this act.

The People of the State of Michigan enact:

Unlawful to
use nets.

Proviso, date
of effect.

Penalty for
violation.

Act repealed.

SECTION 1. It shall be unlawful for any person or persons to take or catch, or attempt to take or catch by pound or gill net, or any set net of any description, any species of fish in the waters of Black river, Belle river and Pine river, within the county of St. Clair, Michigan: *Provided, however,* That the provisions of this act will not take effect until April first, nineteen hundred eight.

SEC. 2. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction before any court of competent jurisdiction, shall be fined a sum not less in amount than fifty dollars, nor more than one hundred dollars, or by imprisonment in the county jail at St. Clair county for a term not exceeding ninety days nor less than twenty days, or by both such fine and imprisonment, in the discretion of the court.

SEC. 3. Act number fifty of the public acts of nineteen hundred five, and all other acts contravening the provisions of this act, are hereby repealed.

This act is ordered to take effect April first, nineteen hundred eight.

Approved June 12, 1907.

[No. 136.]

AN ACT to provide for furnishing, at public expense, suitable markers for the graves of honorably discharged soldiers, sailors or marines, who served in the army of the United States.

The People of the State of Michigan enact:

SECTION 1. The common council, board of trustees or township board of every city, village or township in this State shall, upon the petition of any five reputable freeholders of any such city, village or township, procure for and furnish to said petitioners at the expense of such city, village or township, some suitable and appropriate metal marker for the grave of each and every honorably discharged soldier, sailor or marine who served in the army of the United States and who is buried within the limits of said city, village or township or within the limits of any cemetery belonging to any such city, village or township, to be placed on the grave of such soldier, sailor or marine for the purpose of marking and designating said grave for memorial purposes.

Markers to
be furnished
upon petition.

SEC. 2. In all petitions to such common councils or boards, the petitioners shall set forth the names of all such soldiers, sailors and marines, whose graves have not been appropriately marked as contemplated in this act, and the number of such graves at the time of petitioning.

Petitions,
what to set
forth.

Approved June 12, 1907.

[No. 137.]

AN ACT to amend section twelve, act two hundred thirty-two of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws providing for the incorporation of manufacturing and mercantile companies or any union of the two, and for the incorporation of companies for carrying on any other lawful business, except such as are precluded from organization under this act by its express provisions, and to prescribe the powers and fix the duties and liabilities of such corporations," as amended by act one hundred ninety-four, of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

SECTION 1. Section twelve, act two hundred thirty-two of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws providing for the incorporation of manufacturing and mercantile companies or any

Section
amended.

union of the two, and for the incorporation of companies for carrying on any other lawful business, except such as are precluded from organization under this act by its express provisions, and to prescribe the powers and fix the duties and liabilities of such corporations," as amended by act one hundred ninety-four of the public acts of nineteen hundred five, is amended to read as follows:

Annual
duplicate
reports.

Proviso, as to
flour milling
corporations.

Proviso, when
fiscal year ends
other than
Dec. 31.

Reports, what
to state.

Secretary of
State, to
furnish
blanks.

Reports, by
whom signed.

SEC. 12. Every corporation subject to this act, including every foreign corporation admitted to carry on business in this State under the provisions of this act, shall annually, in the month of January or February, make duplicate reports showing the condition of such corporation on the thirty-first day of December next preceding, on suitable blanks to be furnished by the Secretary of State, as hereinafter provided:

Provided, Flour milling corporations shall make and deposit annual reports in the month of July for the year ending June thirty, preceding: *Provided further*, That any such corporation, which shall make and file with the Secretary of State a statement in writing certified to by its president and secretary, showing that its fiscal year ends at a time other than December thirty-first and that it is its custom to take an inventory and balance its accounts at the close of such fiscal year, and cannot make an accurate report for any other date, shall make its report showing its condition at the close of its fiscal year, such report to be filed within sixty days after such close of its fiscal year. Such reports shall state the amount each of common and preferred capital stock authorized, and the amount thereof subscribed for, and the amount thereof actually paid in in cash, and the amount thereof paid in property; the total value as near as may be estimated, of all property owned by the corporation; the value of different items or classes of property as follows: Real estate used in its business; real estate not used in its business; goods, chattels, merchandise, material and other tangible property; patent rights, copyrights, trademarks and formulas; good will; and all other property, specifying the kind; value of all credits owing to the corporation; the amount of debts of the corporation; the name and postoffice address of each stockholder and the number of shares of preferred and common stock held by him at the date of such report; the name and postoffice address of each officer and director of the corporation, and such other information as the Secretary of State may require. It shall be the duty of the Secretary of State in the month of December in each year, or in case of corporations whose fiscal year ends prior to December thirty-first, on application of such corporation, to mail to each corporation which is subject to the provisions of this act, suitable blanks on which shall be printed a copy of this section. Such reports shall be signed by a majority of the board of directors and verified by the oath of the secretary of the corporation, and deposited in the office of the

Secretary of State within the said month of January or February, or within sixty days after the close of such fiscal year, accompanied by a filing fee of fifty cents. The Secretary of State shall carefully examine such reports, and if upon such examination they shall be found to comply with all the requirements of this section, he shall then file one of them in his office, and shall forward the other by mail or express to the county clerk of the county in which the office in this State, for the transaction of the business of said corporation, is situated. And it shall be the duty of such county clerk, upon receipt of such report, to immediately cause the same to be filed in his office. If any corporation neglect or refuse to make and file the reports required by this section within the time herein specified, and shall continue in default for ten days thereafter, its corporate powers shall be suspended thereafter until it shall file such report, and it shall not maintain an action in any court of this State upon any contract entered into during the time of such default; and any director of such corporation so in default, who has neglected or refused to join in the making of such report, shall be liable for all the debts of such corporation contracted since the filing of the last report of such corporation, and shall also be liable to such corporation for any damages sustained by it by reason of such refusal or neglect. And in case a corporation organized or doing business under the provisions of this act shall be dissolved by process of law, or whose term of existence shall terminate by limitation, or whose property and franchises shall be sold at mortgage sale, or at private sale, or if for any reason the attitude of the corporation toward the State shall be changed from that set forth in the articles of association, it shall be the duty of the last board of directors of such corporation within thirty days thereafter to give written notice of such change to the Secretary of State, signed by a majority of such directors and accompanied by a recording fee of fifty cents, which said notice shall be recorded as amendments are required to be recorded. And in case of neglect to give such notice, they shall each be subject to a penalty of five dollars for each and every day during the continuance of such neglect or refusal. The neglect or refusal to file the report, or to record the notice required by this section to be filed or recorded, shall be deemed wilful when such report or notice is not filed or recorded within the time herein limited. Whenever any corporation has neglected or refused to make and file its report within twenty days after the time limited in this section, the Secretary of State shall cause notice of that fact to be given by mail to such corporation, directed to its postoffice address. The certificate of the Secretary of State or his deputy, of the mailing of such notice, shall be prima facie evidence in all courts and places of

When and
where filed.

Suspension of
corporate
powers.

Directors
liable.

To give
notice of
dissolution.

Penalty for
neglect.

Notice of
failure to
make report.

that fact, and that such notices were duly received by said corporation.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 138.]

AN ACT to prohibit the scalping and sale of tickets for more than the price printed thereon, for theatres, circuses, athletic grounds and places of public amusement, and declaring same a misdemeanor, and fixing the penalties therefor.

The People of the State of Michigan enact:

Theatre
tickets, etc.,
price to be
printed on.

SECTION 1. It shall be the duty of owners, lessees and managers of every theatre, circus, athletic grounds used for athletic games, place of public entertainment or amusement to have printed on all tickets issued for admission thereto or for seats of such theatre, circus, athletic grounds, place of public entertainment or amusement, in conspicuous type, the price of such ticket, and the number on the seat, when such seats are numbered.

Misdemeanor
for asking
excess price.

SEC. 2. Any person or persons, firm or corporation, owning, occupying, managing or controlling any building, room, park or enclosure for the sale of tickets for theatres, circuses, athletic games, or places of public entertainment or amusement, who shall ask, demand or receive from any person or persons for the sale of such ticket or tickets to a theatre, circus, athletic grounds, or place of public entertainment, or amusement, a price in excess of the general admission advertised or charged for the same privilege, or any person, firm or corporation who by themselves, or by any agent or employe, offers for sale upon any public place or thoroughfare, any such ticket or tickets to a theatre, circus, athletic grounds, or place of public entertainment or amusement, for admission thereto, or for a seat or other privilege therein, at a price in excess of that demanded or received from the general public for the same privilege, or in excess of the advertised or printed rate therefor, shall be deemed guilty of a misdemeanor.

Agencies, etc.
for sale of, at
excess price,
unlawful.

SEC. 3. It shall be unlawful for any person, persons, firm or corporation to establish an agency or sub-office for the sale of seat tickets of admission to a theatre, circus, athletic grounds, or place of public entertainment or amusement, at a price greater than the sale of seats at the box office of such theatre, circus, athletic grounds, place of pub-

lic entertainment or amusement, or in excess of the advertised price therefor.

SEC. 4. The owner, lessee or occupant of any building, room, enclosure or other place open to the public, who permits any person, persons, firm or corporation to sell or exhibit for sale in said building, room or enclosure, or other place open to the public, any ticket or tickets for theatre, circuses, athletic grounds, or place of public entertainment or amusement, for more than the price printed thereon, shall be equally liable as principal. Liability of owners, etc.

SEC. 5. Where the owners, lessees or managers of any circus, theatre, athletic grounds or place of public entertainment or amusement have sold tickets of admission thereto to specific persons, under restrictive conditions and at a less rate than the general admission charged, and whose names appear on the face of such tickets or are registered in the office of such owners, lessees or managers as the holder of such tickets and where it is printed on the face of such tickets that they are non-transferable and sold only to the persons whose names appear on the face of such tickets or are registered, it shall be declared unlawful for the holders of such specific tickets to sell them to other persons, and any person selling such tickets shall be deemed guilty of a misdemeanor. Misdemeanor for selling non-transferable tickets.

SEC. 6. Any person, persons, firm or corporation violating any of the provisions of this act shall, upon conviction, be fined in a sum not less than twenty-five dollars nor more than one hundred dollars, or confined in the county jail not less than ten days nor more than sixty days, or both, in the discretion of the court. Penalty.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 139.]

AN ACT to provide for the publication and distribution of a record of all Michigan soldiers and sailors serving in the War of the Rebellion, the Spanish-American War and the Philippine Insurrection; the records of whom have not been heretofore published; to make an appropriation therefor and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. The Adjutant General shall, as soon as practicable after the passage of this act, prepare for publication a regimental history, where such history has not been heretofore provided for, of all soldiers and sailors who enlisted Regimental history, by whom to be prepared.

What to
contain.

Assistance,
etc., may be
employed.

Proviso as to
compiler's
compensation.

Regimental
history, by
whom and
how dis-
tributed.

To whom.

To libraries,
etc.

Regimental
history, when,
by and to
whom notice
served relative
to.

from and were credited to this State during the War of the Rebellion, the Spanish-American War, and the Philippine Insurrection. Such history shall contain the name, residence, date of enlistment, date of muster in, rank, promotion, wounds received, capture and imprisonment by the enemy, date of discharge, muster out or death, and such information as can be obtained from the records of this State, the war, navy and other departments of the federal government, or other authentic sources, as will correct or complete the records, making as far as practicable a complete and concise military history of each soldier or sailor so serving; prefacing each volume of such records appropriately, with a concise general history of the organization therein named. For this purpose the Adjutant General is authorized to employ such extra clerical assistance and procure such blanks and stationery as may be necessary in the preparation, compilation, comparing and proofreading, necessary to secure its historical and typographical accuracy: *Provided*, That the compiler of these records be allowed not to exceed one hundred and twenty-five dollars per month compensation.

SEC. 2. The distribution of said volumes, when published, shall be made under the supervision of the Adjutant General, in the same general manner now adopted for the distribution of regimental histories under section two, act one hundred forty-seven, public acts of nineteen hundred three. One regimental volume to the applicant of the organization in which he served as follows: Any person who served in any Michigan regiment, battery, company or detachment during the Civil War, and has been honorably discharged, or any person who served in any regiment, battery or company from any other state, or in the regular army, or in the navy, properly accredited to the State of Michigan, and has been honorably discharged, or if such person be dead, then his widow if living, or if she be dead, then his father if living, if he be dead, then the mother of any such person, or if she be dead then to his eldest child, if there be any, and any such person who is still in the service, shall be entitled to receive one copy of said work, on application and identification to the Adjutant General, and if the application for such copy be not made in person, by depositing with the Adjutant General necessary postage to cover the expense of sending such book. Also complete sets to Adjutants General of other states, and to state and United States public libraries upon application, and to such other libraries in this State as the Governor may approve, and may be purchased by any other persons who may apply, at cost of publication.

SEC. 3. So soon as the work of preparation and compilation of the historical records herein provided for shall have progressed sufficiently near completion to enable printers and binders to make accurate estimates of the cost of publication, the Adjutant General shall serve a written notice of that

fact on the Board of State Auditors. Upon such notification the Board of State Auditors is hereby directed to arrange for the publication, printing and binding of such records, under the direction of the Adjutant General, in seven volumes, in editions of not more than one thousand each, and which shall be printed and published in the kind of type, quality of paper and style of binding and printing as those published under the authority of act one hundred forty-seven of the public acts of nineteen hundred three. The cost of said volumes shall be paid from the general fund of the State treasury upon vouchers therefor, approved by the Adjutant General, after allowance and audit, by the Board of State Auditors.

Number of, to
be published.

How cost of to
be paid.

SEC. 4. To carry out the provisions of this act there is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, the sum of two thousand dollars: *Provided*, That the Adjutant General may obtain money hereunder before July first, nineteen hundred seven, in such amounts as he may by requisition, certify to the Auditor General are necessary for immediate use, which amounts thus advanced shall be deducted from the amount appropriated when the appropriation becomes available.

Appropriation
for publication
of.

Proviso as to
obtaining
advanced
moneys.

SEC. 5. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of two thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

Tax clause.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 140.]

AN ACT to amend the title and section six of act number one hundred thirteen of the public acts of nineteen hundred one, entitled "An act to provide for the inspection of manufacturing establishments, workshops, hotels and stores in this State; to provide for the regulation of such establishments, and the employment of women and children therein; to regulate the conduct of sweatshops, so called; to provide for the enforcement of this act; and to make an appropriation for the purpose of carrying out the same."

The People of the State of Michigan enact:

SECTION 1. The title and section six of act number one hundred thirteen of the public acts of nineteen hundred one, entitled "An act to provide for the inspection of manufacturing establishments, workshops, hotels and stores in this State; to provide for the regulation of such establishments,

Title and sec-
tion amended.

and the employment of women and children therein; to regulate the conduct of sweat-shops, so-called; to provide for the enforcement of the provisions of this act; and to make an appropriation for the purpose of carrying out the same," are hereby amended to read as follows:

TITLE.

Title.

An act to provide for the inspection of manufacturing establishments, workshops, hotels, stores, theatres, schools, halls, apartment houses, and public buildings in this State; to provide for the regulation of such establishments, and the employment of women and children therein; to regulate the conduct of sweat-shops, so-called; to provide for the enforcement of the provisions of this act; and to make an appropriation for the purpose of carrying out the same.

Fire escapes
for certain
buildings.

SEC. 6. Fire escapes shall be provided for all manufacturing establishments, hotels, stores, theatres, schools, halls, apartment houses and public buildings, two or more stories in height, if in the opinion of the factory inspector it is necessary to insure the safety of persons in such places; said fire escapes or means of egress, or as many thereof as may be deemed sufficient by the inspector, shall be provided and where it is necessary to provide fire escapes on the outside of such buildings they shall consist of landings and balconies at each floor above the first, to be built according to specifications provided by the factory inspector. Factory inspectors shall in writing notify the owner, agent or lessee of such manufacturing establishments, hotels, stores, theatres, schools, halls, apartment houses and public buildings, of the required location and specifications of such fire escapes as may be ordered.

Notice by
inspectors.

Approved June 12, 1907.

[No. 141.]

AN ACT to amend section one of act number one hundred twelve of the public acts of eighteen hundred eighty-five, entitled "An act to secure the minority of stockholders in corporations organized under general laws, the power of electing a representative membership in boards of directors," the same being section eight thousand five hundred fifty-three of the Compiled Laws of eighteen hundred ninety-seven, as amended by act number two hundred twenty-three of the public acts of nineteen hundred three, approved June eighteen, nineteen hundred three, and as further amended by act number sixty-one of the public acts of nineteen hundred five, approved April nineteen, nineteen hundred five.

The People of the State of Michigan enact:

SECTION 1. Section one of act number one hundred twelve of the public acts of eighteen hundred eighty-five, entitled "An act to secure the minority of stockholders in corporations organized under general laws, the power of electing a representative membership in boards of directors," the same being section eight thousand five hundred fifty-three of the Compiled Laws of eighteen hundred ninety-seven, as amended by act number two hundred twenty-three of the public acts of nineteen hundred three, approved June eighteen, nineteen hundred three, and as further amended by act number sixty-one of the public acts of nineteen hundred five, approved April nineteen, nineteen hundred five, is hereby amended to read as follows: Section amended.

SEC. 1. In all elections for directors of any corporation organized under any general law of this State, other than municipal, insurance and banking corporations, every stockholder shall have the right to vote, in person or by proxy, the number of shares of stock owned by him for as many persons as there may be directors to be elected, or to cumulate said shares, and give one candidate as many votes as will equal the number of directors multiplied by the number of shares of his stock; or to distribute them on the same principle among as many candidates as he shall think fit. All such corporations shall elect their directors annually, and the entire number of directors shall be balloted for at one and the same time and not separately: *Provided*, That the by-laws of any such corporation shall not be so amended as to reduce the number of directors of such corporation, in case the votes of a sufficient number of shares are recorded against such proposed amendment, which, if cumulatively voted, as herein provided, would elect one or more directors, where the same number of shares, if cumulatively voted, would not be sufficient to elect the same number of directors of the Rights of stockholders in selection of directors.

Directors elected annually.

Proviso as to amendment of by-laws.

Proviso as to
certain
associations.

reduced board: *Provided further*, That associations formed for social, yachting, hunting, boating, fishing and rowing purposes, under act number twenty-two of the public acts of eighteen hundred eighty-three, approved April ten, eighteen hundred eighty-three, entitled "An act to authorize the formation of clubs for social purposes," the same being section seven thousand seven hundred thirty-three to seven thousand seven hundred thirty-nine, both inclusive, of the Compiled Laws of eighteen hundred ninety-seven, or under section seven thousand six hundred sixty-seven of the Compiled Laws of eighteen hundred ninety-seven, may elect a portion of their directors for a longer term than one year, as may be provided in their by-laws.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 142.]

AN ACT to amend act number four of the public acts of eighteen hundred eighty-seven, entitled "An act to punish drunk and intoxicated persons," being section eleven thousand seven hundred thirty-six of the Compiled Laws of eighteen hundred ninety-seven, by adding thereto two new sections to be known as sections two and three, providing for the suspension of the penalty in said act prescribed.

The People of the State of Michigan enact:

Act amended. SECTION 1. Act number four of the public acts of eighteen hundred eighty-seven, entitled "An act to punish drunk and intoxicated persons," being section eleven thousand seven hundred thirty-six of the Compiled Laws of eighteen hundred ninety-seven, is amended by adding thereto two new sections to be known as section number two and section number three, said sections to read as follows:

Pledge,
persons con-
victed of in-
toxication
may take.

Penalty
suspended.

Discharge for
keeping of.

SEC. 2. When a person is convicted of the crime of being found intoxicated, the court before whom conviction is had may, in its discretion, upon payment of taxable costs by the respondent, suspend the collection of the fine or the execution of the sentence of imprisonment, or both, for a definite period to be fixed in the record of conviction; such suspension, if made, to be on condition that the respondent wishes to and does pledge himself to wholly abstain from the use of intoxicating liquors as a beverage for such period as the court may direct, not exceeding one year. And when it is made to appear to said court that such pledge has been kept, the sentence in the case shall thereby be fully satisfied and the

prisoner discharged. The record of such conviction shall show the suspension of the sentence therein set forth and such pledge and final action thereon. If, within such time of suspension, it appears to said court that the respondent has not kept such pledge, or that the public good or the interest of the respondent so require mittimus shall issue at once.

Record.
what to
contain.

Conviction
sustained
for non-keep-
ing of.

Sec. 3. The form of pledge shall be substantially as follows:

Form of.

.....
.....Mich.
.....
.....

As evidence of my appreciation of the opportunity given me by law to become a sober and better citizen, in staying the fine hereby imposed upon me this day, I hereby freely and voluntarily sign the following

PLEDGE.

I will abstain from the use of intoxicating liquors of every kind and character for the period of.....
..... from day
of....., 19...

This act is ordered to take immediate effect.
Approved June 12, 1907.

[No. 143.]

AN ACT to amend section one of act three hundred eleven of the public acts of nineteen hundred five, entitled "An act relative to the cost of bonds to be furnished by State officers."

The People of the State of Michigan enact:

SECTION 1. Section one of act three hundred eleven of the public acts of nineteen hundred five, entitled "An act relative to the cost of bonds to be furnished by the State officers," is hereby amended to read as follows:

Section
amended.

Sec. 1. Whenever a bond is required by the laws of this State to be given by the Auditor General, Secretary of State, State Treasurer, Commissioner of the State Land Office, Attorney General or Superintendent of Public Instruction, or any officer of any State institution, whether elected or appointed, who is charged with the duty of being the custo-

Bonds of
state officers.

dian of any State or institution funds or money, but who does not receive any salary or compensation while acting in such capacity, such State or institution officer may procure the required bond from any surety company authorized by the laws of this State to execute same, and the cost thereof, not exceeding one per cent per annum, shall be paid out of the treasury of the State of Michigan, upon the warrant of the proper officer, after being first allowed by the Board of State Auditors.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 144.]

AN ACT to prevent the desertion and abandonment of wife or children by persons charged by law with the maintenance thereof; to make such abandonment and desertion a felony and to prescribe the punishment therefor; to provide for the care of the dependent wife and children; and to repeal act number thirty-nine of the public acts of nineteen hundred three.

The People of the State of Michigan enact:

Penalty for wife or child desertion.

Proviso as to suspended sentence.

Proviso as to modification of order.

Wardens to pay certain sums for benefit of wife and children.

SECTION 1. Any person who deserts and abandons his wife or deserts and abandons his minor children under fifteen years of age and without providing necessary and proper shelter, food, care and clothing for them, shall upon conviction be deemed guilty of a felony and punished by imprisonment in the State prison for not more than three years nor less than one year; or by imprisonment in the county jail not more than one year and not less than three months: *Provided however*, If, at any time before sentence he shall enter into bond to the people of the State of Michigan, in such penal sum and with such surety or sureties as the court may fix, conditioned that he will furnish his wife and children with necessary and proper shelter, food, care and clothing, then the court may suspend sentence therein: *Provided*, That upon failure of such person to comply with said undertaking he may be ordered to appear before the court and show cause why sentence should not be imposed, whereupon the court may pass sentence, or for good cause shown may modify the order and take a new undertaking and further suspend sentence as may be just and proper.

SEC. 2. When any person is convicted under this act and sentenced to serve a term of imprisonment either in one of the State prisons or in the Detroit House of Correction, the warden of the prison or superintendent of said House of Cor-

rection in which said person shall be confined shall, at the end of each and every week during the period of said term of imprisonment, pay over to any of the superintendents of the poor of the city or county in which the wife or children of such person resides, the sum of one dollar and fifty cents per week, if there be only a wife, and fifty cents per week additional for each minor child under the age of fifteen years, in lieu of any earnings of such person while an inmate therein, said sums to be expended by said superintendent of the poor for the care and support of the wife or children of said person, as the case may be; and it shall be the duty of the superintendents of the poor of the city or county from which such person shall be committed to furnish the warden of the prison or superintendent of said House of Correction in which said person is confined, with a sworn statement, showing the names of the wife and children who are left dependent upon the city or county for support, their ages and relation they bear to such convicted person.

Duty of
superintend-
ents of poor.

SEC. 3. In the hearing of all complaints under this act, the wife may testify against the husband without his consent.

Wife may tes-
tify against
husband.

SEC. 4. Any of the superintendents of the poor of the city or county or the county agent of the State Board of Corrections and Charities for the county wherein the wife or minor children of the person complained of reside, may make the complaint.

Who may
make com-
plaint.

SEC. 5. Act number thirty-nine of the public acts of nineteen hundred three, and all other acts and parts of acts contravening the provisions of this act are hereby repealed.

Act repealed.

Approved June 12, 1907.

[No. 145.]

AN ACT for the protection of owners and keepers of stallions, and to repeal act number one hundred sixty-six of the public acts of nineteen hundred five, entitled "An act for the protection of owners and keepers of stallions, and to repeal act number twenty-eight of the public acts of eighteen hundred eighty-seven, entitled, 'An act to protect the owners and keepers of stallions,' and the acts amendatory thereto."

The People of the State of Michigan enact:

SECTION 1. The owner or keeper of any stallion shall have a lien upon the mare served by any such stallion in breeding thereof, for the amount of the service fee according to the terms of the agreement under which said mare is bred; such lien shall continue for the period of eighteen

Lien upon
mare.

Lien upon
get of
stallion.

months after the date of such service; and shall also have a lien upon the get, if any, by such stallion for the amount of the service fee of such stallion, and such lien shall continue for a period of six months after the birth or foal of such get.

Contract to
be signed.

SEC. 2. The owner or keeper of a stallion in order to obtain and perfect such lien shall require the owner of such dam to sign a contract in substantially the following form:

Form.

This agreement made and entered into by and between....., first party, of, Michigan, owner and keeper of the stallion named....., and, second party, of, Michigan, owner of dam described as follows: Name....., age years, color, weight pounds, and served this day by said stallion. Service fee \$..... due To insure service fee \$..... due First party shall have a lien on the mare for such service fee for a period of eighteen months from this date and shall also have a lien upon the get of said stallion, if any, for such service fee, for a period of six months after the birth or foal of such get. Second party to have return privilege for the season as follows: The lien, herein provided, shall be enforced by the seizure of the property and the sale thereof after like notice as required by law for constable's sales. Such seizure may be made at any time when first party may deem himself insecure, or if the owner of said dam or colt shall sell, assign or dispose of, or attempt to sell, assign or dispose of the property, or remove or attempt to remove the same from the township of, county of, Michigan. The sale may be made at any time after such seizure and the giving of the notice as herein provided. In witness whereof the parties hereto have this day of, A. D., subscribed their respective names.

When con-
tract valid
as against
a bona fide
purchaser.

SEC. 3. The lien herein provided shall not be valid as against a subsequent bona fide purchaser unless the owner or keeper of such stallion, or his assign, shall, after such service and before a bona fide sale of such mare or colt, file with the township or city clerk in the township or city wherein such property is owned or kept the contract or a true copy thereof as entered into by the owners or keepers of said stallion and said dam and shall pay to the clerk the sum of twenty-five cents as a filing fee. The lien as between the parties to the contract shall be absolute without any filing of such contract.

Enforcement
of lien.

SEC. 4. Such lien may be enforced by the owner or keeper of such stallion, or by any person to whom such debt may be assigned, by seizure and sale of the colt or mare, or both, mentioned in said lien, or so much thereof as may be necessary to satisfy said debt, and also the reasonable expense of

such seizure and sale, returning the residue, if any, to the owner of such colt or mare. Such seizure and sale to be made according to the provisions of this act: *Provided*, That no recovery can be had for the services of such stallion, where the owner or keeper thereof has wilfully or fraudulently misrepresented the breeding of such stallion. Proviso, as to misrepresentation.

SEC. 5. Act number one hundred sixty-six of the public acts of nineteen hundred five, and all acts in conflict with the provisions of this act are hereby repealed. Act repealed.

Approved June 12, 1907.

[No. 146.]

AN ACT to amend section two of act number two hundred thirty-two of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws providing for the incorporation of manufacturing and mercantile companies or any union of the two, and for the incorporation of companies for carrying on any other lawful business, except such as are precluded from organization under this act by its express provisions, and to prescribe the powers and fix the duties and liabilities of such corporations."

The People of the State of Michigan enact:

SECTION 1. Section two of act number two hundred thirty-two of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws providing for the incorporation of manufacturing and mercantile companies or any union of the two, and for the incorporation of companies for carrying on any other lawful business, except such as are precluded from organization under this act by its express provisions, and to prescribe the powers and fix the duties and liabilities of such corporations," is hereby amended to read as follows: Section amended.

SEC. 2. The articles of association of every such corporation shall be made on suitable and uniform blanks which it is hereby made the duty of the Secretary of State to furnish on application free of charge, or upon blanks substantially uniform approved by the Secretary of State, which articles shall be signed by the persons associating in the first instance and acknowledged before some person authorized by the laws of this State to take acknowledgments of deeds, and shall state: Blanks, who to furnish, etc.

First, The name assumed and by which the corporation shall be known in law: *Provided*, No name shall be assumed already in use by any other existing corporation of this Name. Proviso.

	State, or corporation lawfully carrying on business in this State, or so nearly similar as to lead to uncertainty or confusion;
Purposes.	Second, Distinctly and definitely, the purpose or purposes for which the corporation is formed, and it shall not be lawful for said corporation to divert its operations, or appropriate its funds to any other purpose, except as hereinafter provided;
Place of business.	Third, The principal place or places at which its operations are to be conducted;
Capital stock.	Fourth, The amount of the total authorized capital stock, which shall not be less than one thousand dollars, and not more than twenty-five million dollars; the amount of capital stock subscribed, which shall not be less than fifty per cent of the authorized capital stock; the articles may provide for common and preferred stock subject to section thirty-five, and in that case shall contain an exact statement of the terms upon which the common and preferred stocks are created, and the amount of each subscribed, and the amount of each paid in;
Shares.	Fifth, The number of shares into which the capital stock is divided, which shall be of the par value of ten dollars or one hundred dollars each;
Amount paid in.	Sixth, The amount of capital stock paid in at the time of executing the articles, which shall not be less than ten per cent of the authorized capital, and in no case less than one thousand dollars, except in case of a capitalization of two thousand dollars or under, when it shall be twenty-five per cent thereof, and the amount so paid in shall not be reduced below such per cent of its capital. Such capital stock may be paid in, either in cash or in other property, real or personal; but where payment is made otherwise than in cash there shall be included in the articles an itemized description of the property in which such payment is made, with the valuation at which each item is taken, which valuation shall be conclusive in absence of actual fraud: <i>Provided</i> , That only such property shall be so taken in payment for capital stock as the purposes of the corporation shall require, and only such property as can be sold and transferred by the corporation, and as shall be subject to levy and sale on execution, or other process issued out of any court having competent jurisdiction, for the satisfaction of any judgment or decree against such corporation: And <i>Provided further</i> , That there shall be made and attached to any such articles of association an affidavit by at least three of the organizers of such corporation, that they know the property described in such articles of association and that the same has been actually transferred to such corporation, and that such property is of the actual value therein stated;
Description of property.	
Proviso, kind of property.	
Proviso, affidavit of value.	
Office in state.	Seventh, The place in the State of Michigan where the office of the company is located;

Eighth, The term of years the corporation is to exist, which shall not be to exceed thirty years; Term of existence.

Ninth, The names of the stockholders, their respective residences, and the number of shares subscribed for by each. Stockholders.

The amount of the capital stock and number of shares of every corporation organized under this act may be increased or diminished at any annual meeting of the stockholders, or at a special meeting expressly called for that purpose, by a vote of two-thirds of the capital stock of the corporation. In voting upon the increase of the capital stock, the stockholders shall have power, by the same statutory majority, to fix the value of, and the price at which, the increase of the capital shall be subscribed and paid for by the stockholders, but not less than par, as well as the time and manner of the subscription and payment, and by the same vote to authorize the directors of the corporation to sell, at not less than the price so fixed, any part of such increase not subscribed by the stockholders, after they have had a reasonable opportunity to make subscription of their proportionate shares thereof; and to make provision for calling in and cancelling the old and issuing new certificates of stock; but nothing herein contained shall in any way operate to discharge any company, which may diminish its capital stock, from any obligation or demand that may be due from said company. When a corporation shall so increase or diminish its capital stock, the president and a majority of the directors shall make a certificate thereof, which shall be signed by them and recorded and returned as provided herein for recording and returning the original articles of incorporation, and such increase or diminution shall commence and be operative from the date when such certificate is recorded in the office of the Secretary of State: *Provided*, That in order to entitle such certificate to be recorded it must show that at least fifty per cent of the total authorized stock, after such increase, has been subscribed, and that at least ten per cent of the total authorized capital has been actually paid in. The articles of incorporation, besides defining the purposes for which the corporation is formed, as provided in subsection second above, may also contain any provision which the incorporators may deem advantageous for the regulation of the business and for the conduct of the affairs of the corporation and any provision creating, defining, limiting and regulating the powers of the corporation, the directors and the stockholders, or any class or classes of stock and stockholders: *Provided*, The same be not inconsistent with this act, or the general statutes of this State regulating corporations. How capital stock increased or diminished.

Certificate of increase or decrease.

Proviso, as to amount paid in.

Further provisions in articles.

Proviso.

Approved June 12, 1907.

[No. 147.]

AN ACT to amend section one of act number one hundred fifty-six of the public acts of eighteen hundred fifty-one, the same being section two thousand four hundred seventy-five of the Compiled Laws of eighteen hundred ninety-seven, said section having been amended by act number twenty-six of the public acts of nineteen hundred one, said act being entitled “An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers.”

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section one of act number one hundred fifty-six of the public acts of eighteen hundred fifty-one, the same being section two thousand four hundred seventy-five of the Compiled Laws of eighteen hundred ninety-seven, as amended by act number twenty-six of the public acts of nineteen hundred one, said act being entitled “An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers,” is hereby amended to read as follows:

Supervisors, meetings of.

SEC. 1. The supervisors of the several townships and cities in each of the counties in this State shall meet annually in their respective counties for the transaction of business as a board of supervisors; they may also hold special meetings when necessary, at such times and places as they may find convenient, and shall have power to adjourn from time to time as they may deem necessary. The annual meeting of the board of supervisors shall be held on the second Monday of October in each year at the court house in their respective counties if there be one, and if there be none, then at some place at the county seat, if there be one, and if no county seat be established, then at such place in the county as the clerk of such county may appoint, of which said clerk shall give three weeks' public notice by publishing the same in some one or more newspapers printed and circulated in said county, if there be any such, and if none, then in some one or more newspapers nearest thereto having a general circulation in said county: *Provided*, That but one legal newspaper rate for printing the same shall be allowed: *Provided further*, That a regular meeting of the board of supervisors in and for the county of Lenawee shall be held on the Tuesday following the second Monday of April in each year at the court house in said county.

Annual meeting.

Notice of, by clerk.

Proviso.
Proviso, Lenawee county.

Approved June 12, 1907.

[No. 148.]

AN ACT to prohibit the free distribution of medicines.

The People of the State of Michigan enact:

SECTION 1. The free distribution of all medicines of every kind and nature from house to house, or from any vehicle, is hereby prohibited. Free distribution of medicines, prohibited.

SEC. 2. Any person, firm or corporation, or any servant, agent or employe thereof who violates the provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court. Penalty.

Approved June 12, 1907.

[No. 149.]

AN ACT for the protection of fish in Jordan lake in the counties of Barry and Ionia, and the waters of Tupper lake and Long lake in the county of Ionia.

The People of the State of Michigan enact:

SECTION 1. It shall be unlawful for any person or persons to spear, or attempt to spear, at any time any fish in the waters of Jordan lake, located in the counties of Barry and Ionia, and Tupper lake and Long lake located in the county of Ionia. Spearing unlawful.

SEC. 2. Any person violating the provisions of this act shall be punished by a fine not exceeding twenty dollars or imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment in the discretion of the court. Penalty.

This act is ordered to take immediate effect.

Approved June 12, 1907.

[No. 150.]

AN ACT for the protection of fish in Grand river in the township of Lyons, in the county of Ionia, and in Mill creek in the township of Boston in said county.

The People of the State of Michigan enact:

Fish, unlawful to catch, etc., except with hook and line. SECTION 1. It shall be unlawful for any person or persons to kill or spear, or attempt to kill or spear or catch or attempt to catch any fish in any manner except with hook and line in the waters of Grand river in the township of Lyons, in the county of Ionia, or in the waters of Mill creek in the township of Boston in said county.

Evidence of violation. SEC. 2. In all prosecutions under this act, it shall be prima facie evidence on the part of the people of the violations of the provisions of this act to show that the defendant was found upon the waters or banks of said river or creek with spear, net, jack or artificial light of any kind, or with dynamite, giant powder, or any other explosive substance or combination of substances.

Penalty. SEC. 3. Any person violating the provisions of this act shall be punished by a fine of not less than ten dollars nor exceeding twenty-five dollars, together with the costs of prosecution, or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.
Approved June 12, 1907.

[No. 151.]

AN ACT to amend sections one, two, three, eight and nine of act number one hundred thirty-two of the public acts of nineteen hundred three, being an act, entitled "An act empowering the State Board of Health to determine the qualifications necessary, examine and license persons qualified to practice the art of embalming and regulate the practice of embalming dead human bodies, and to repeal act number two hundred thirty-three of the public acts of nineteen hundred one."

The People of the State of Michigan enact:

Sections amended. SECTION 1. Sections one, two, three, eight and nine of act number one hundred thirty-two of the public acts of nineteen hundred three, being an act, entitled "An act empowering the State Board of Health to determine the qualifications

necessary, examine and license persons qualified to practice the art of embalming and regulate the practice of embalming dead human bodies, and to repeal act number two hundred thirty-three of the public acts of nineteen hundred one," are hereby amended to read as follows:

SEC. 1. The State Board of Health is hereby authorized and empowered to determine the qualifications necessary to enable any person to properly embalm dead human bodies and disinfect the premises. The said board, or some member thereof, shall examine all applicants for an embalmer's license, and shall issue an embalmer's license to all persons who successfully pass such examination. No person shall embalm any dead human body, unless he shall hold a valid unrevoked and unexpired license from the Michigan State Board of Health authorizing him to practice the art of embalming. All persons who are engaged in the business of undertaking, or who profess to be engaged in such business, or who hold themselves out to the public as undertakers, or embalmers, shall be required to possess a certificate showing that they are licensed embalmers or have constantly employed a licensed embalmer. Any person embalming or attempting to embalm, or caring or attempting to care for a dead human body, either as an embalmer or as assistant embalmer or undertaker, except under the immediate and personal direction of a licensed embalmer, shall be deemed to be practicing the art of embalming, and any person so embalming or caring, or attempting to care for a dead human body, or who shall prepare for transportation or burial or otherwise dispose of any dead human body, or hold himself out as practicing embalming, without being the holder of an embalmer's license granted by the State Board of Health, shall be deemed guilty of a violation of this act. The term embalming as used in this act shall be taken to mean the disinfection or preservation of the dead human body, entire or in part, by the use of chemical substances, fluids or gases ordinarily used, prepared or intended for such purpose, either by outward application of such chemical substances, fluids or gases on the body, or by the introduction of same into the body by vascular or hypodermic injection or by direct application into the organs or cavities. The finding of any such chemical substance, fluid or gas ordinarily used in embalming, or any trace, evidence or appearance thereof upon a dead human body, the use of which is prohibited except by licensed embalmer, or the placing thereof on a dead human body by any person who is not a holder of an embalmer's license shall constitute prima facie evidence of the violation of the terms of this act: *Provided*, That nothing in this act shall apply to any person who prepares dead human bodies for burial without the assistance of an undertaker or embalmer, or without acting in the capacity of an embalmer or undertaker.

Embalmers
license, by
and to whom
issued, etc.

Undertakers
to have
certificate.

Who deemed
embalmers.

"Embalming"
defined.

Evidence of
violation,
penalty.

Proviso.

Examinations, when held.	SEC. 2. Embalmers' examinations shall be held in the city of Lansing, at least once each year, and at such other times
Proviso, U. P.	and places as the said board may designate: <i>Provided</i> , That an examination shall be held once each calendar year in the Upper Peninsula, if five or more residents of the Upper Peninsula shall have on file with the secretary of the said board their applications for licenses. The said board is hereby authorized to send not more than two of its members to the Upper Peninsula to conduct embalmers' examinations there.
Compensation.	The members of the said board, except the secretary, who are present and assist in any such examinations shall receive ten dollars per diem for the time actually spent, in addition to reimbursement for such expenses as they may actually incur.
Qualifications for license.	SEC. 3. No person shall be granted a license under this act, unless he shall have had at least two years actual, practical instruction in embalming and disinfecting under a licensed embalmer in this State, or at least one year of such instruction and has completed a course in some school of embalming whose standing is recognized by the State Board of Health, or who shall have been actively engaged in the practice of embalming for five years last past prior to the date
Examinations, subjects.	of his examination. Each applicant for a license shall be examined orally and in writing in the following subjects: Anatomy, sanitary science and disinfection, the care, preservation, embalming, transportation and burial of dead human bodies, and shall, at the request of the board, demonstrate his proficiency as an embalmer by operation on a cadaver.
Applications, how made.	All applications under this act shall be upon blanks furnished by the State Board of Health and shall be accompanied by a fee of five dollars and a photograph of the applicant. All applicants for license to practice embalming shall have attained the age of twenty-one years and must
Applicant to furnish certificate of character, etc.	furnish a certificate of good moral character, signed by three responsible citizens, one of whom must be a licensed embalmer who has been personally acquainted with the applicant for at least one year. All applicants shall furnish the State Board of Health satisfactory evidence of their proficiency in a common school education, that they have had at least two years' practical experience under a licensed embalmer in this State, or have had a practical experience of not less than one year under a licensed embalmer in this State and have completed the regular course of instruction in a school of embalming recognized as being in good standing by said board: <i>Provided</i> , That any person now holding an embalmer's license issued by the State Board of Health under authority of act number one hundred thirty-two of the public acts of nineteen hundred three, shall be deemed to be a licensed embalmer under the provisions of this act, but such license shall terminate and expire on the thirty-first day of July, nineteen hundred seven, unless sooner revoked or cancelled, who shall be entitled to registration without ex-
Proviso, present license holders, ex- piration, etc.	

amination upon payment of the fee herein provided for:

Provided further, That any person holding a valid, unrevoked and unexpired license in another state or territory having substantially similar requirements to those existing in this State, provided that such states or territories recognize licenses issued by the Michigan State Board of Health, may be granted a license to practice in this State upon filing with the secretary of this board a certified statement from the secretary of the examining board of the state or territory in which the applicant holds a license, showing the rating upon which said license was granted, together with his recommendation, and if satisfactory to this board it shall, upon receipt of a fee of ten dollars grant such license. The

Further proviso, foreign licenses.

owner of any license or renewal provided for in this act shall cause a copy of same to be filed in the office of the local registrar of each city or village wherein he intends to practice the art of embalming, and no transportation permit shall be issued by the local registrar to any person who has not a copy of such license or renewal on file: *Provided*, That any local registrar is hereby authorized to grant a transportation permit to any embalmer coming from beyond the jurisdiction of said registrar upon the exhibition of a copy of said license or renewal to said registrar. It shall be unlawful for any railway agent, express agent, baggage master, conductor, or other person acting as such, to receive the dead body of any person for shipment, or transportation by railway or other public conveyance, to or from any point in this State or to a point outside of this State, unless said body be accompanied by a removal or shipping permit signed by the health officer of the local board of health, and a certificate, attached to the outside box containing such body, showing the name and official-number of the embalmer by whom it was prepared, and the method of preparation employed: *Provided*, That nothing in this act shall be so construed as to prevent the shipment of dead bodies intended for use for anatomical purposes within this State when the same are so designated by the shipper.

Copy of license, where filed, etc.

Proviso.

Unlawful to transport without shipping permit.

Proviso, anatomical cadaver.

SEC. 8. Whenever the State Board of Health shall have reason to believe that any person to whom a license has been issued has become unfitted to practice embalming and disinfecting, or has violated any of the provisions of this act, or any rule or regulation prescribed, or whenever written complaint of a licensed embalmer, substantiated by affidavits thereto, charging the holder of an embalmer's license with the violation of any provision to this act is filed with said board, it shall be the duty of the said board to notify the person in question that it has reason to believe that he has violated the provisions of law and that his license ought to be revoked, which notice shall be served upon him either by registered mail or personal service: *Provided*, That when a written complaint against any such person is filed with said board, either by a member thereof or a licensed embalmer, a

License, relative to revocation of.

Proviso, written complaint.

copy thereof shall be attached to the notice so served upon such person. The said notice shall set forth in what particulars it is claimed there has been a violation of the law, or for what reason the person is believed to be unfitted to longer prosecute the business of an embalmer. The said board shall in such notice definitely fix a time and place when and where it will be in session, for the purpose of considering such person's case, which time shall not be less than twelve days after the service of notice upon the person. Such person shall have the right to appear before the said board at such time and place to dispute the charges made in said notice. Any member of said board shall have the right to administer oaths to witnesses. If, after considering all of the facts and circumstances the board shall have sufficient reason to believe that there has been a violation of the provisions of this act, or a violation of any rule or regulation prescribed by the said board for the preparation, embalming, shipping or burial of any dead human body, or that such person is unfitted to remain a licensed embalmer in this State, it shall have the right to revoke and cancel the license theretofore granted to such person.

Penalty for
violation of
act.

Prosecutions,
how may be
brought.

Prosecuting
attorneys,
etc., duties.

SEC. 9. Any person who shall violate any of the provisions of this act, upon conviction thereof, shall be punished by a fine of not less than three hundred dollars nor more than one year, or both such fine and imprisonment, in the discretion of the court. Prosecutions for the violation of any of the provisions of this act, may be brought by any person in the name of the people of the State of Michigan, against any person violating any of the provisions of this act, before any court of competent jurisdiction. It is hereby made the duty of all prosecuting attorneys to see that the provisions of this act are enforced in their respective counties. It shall also be the duty of all health officers in their respective cities and townships to inform against and assist in the prosecution of all persons whom there is reasonable cause to believe are guilty of violating any of the provisions of this act.

This act is ordered to take effect September eighth, nineteen hundred eight.

Approved June 17, 1907.

[No. 152.]

AN ACT to provide for the regulation and inspection of foundries or establishments where metal castings or cores are made, and to provide for the welfare and safety of persons therein.

The People of the State of Michigan enact:

SECTION 1. All entrances to foundries shall be constructed and maintained so as to minimize drafts.

Entrances,
how con-
structed.
Passage
ways.

SEC. 2. All passage ways in foundries, now in operation or hereafter to be built, shall be constructed and maintained of sufficient width to make them reasonably safe for the workmen, and no unnecessary obstructions shall be allowed in such passage ways during the hours of casting.

SEC. 3. Whenever a foundry is so constructed or operated that smoke, steam, dust or noxious gases are not promptly carried off by the general ventilation, exhaust fans shall be provided. No salamanders or open fire places shall be used unless ample provision is made for conveying the gases arising therefrom directly from the building.

Exhaust fans,
when pro-
vided.

SEC. 4. Foundries shall be reasonably well lighted throughout working hours, and reasonably well heated during the cold and inclement weather. Hot water shall be kept available for washing purposes during the season in which artificial heating is necessary. When it is thought necessary and advisable by a State Factory Inspector, facilities shall be provided for drying the clothing of persons employed therein.

Heating,
lighting, etc.
Hot water.

SEC. 5. All pits around furnaces in any such foundry shall be covered with substantial iron gratings, unless a special permit to use wood for such purposes is granted by the State Factory Inspector. All stairways around such furnaces shall be constructed of iron.

Pits, con-
struction of.

SEC. 6. There shall be kept on hand at all times in every foundry a reasonable supply of lime water, sweet oil, vaseline, bandages and absorbent cotton for use of the workmen in case of burns or accident.

Emergency
supplies.

SEC. 7. It is hereby made the duty of each and every State Factory Inspector to enforce a reasonable compliance with the provisions of this act.

Duty of
factory
inspector.

SEC. 8. Any place or establishment where metal castings or cores are made shall be deemed a foundry within the meaning of this act. The Commissioner of Labor, or his deputy, or any person authorized by such commissioner to act as factory inspector, or deputy factory inspector, shall be deemed a State Factory Inspector within the meaning of this act.

Foundry,
what deemed.

SEC. 9. Any person who shall violate any of the provisions of this act, whether as owner, lessee, manager, agent,

Penalty for
violation.

servant or employe, shall be deemed guilty of a misdemeanor and on conviction thereof in any court of competent jurisdiction, shall be punished by a fine of not less than five nor more than one hundred dollars, and costs of prosecution, or by imprisonment in the county jail of not less than ten days nor more than three months, or by both such fine and imprisonment in the discretion of the court.

Approved June 17, 1907.

[No. 153.]

AN ACT to regulate and license fishing with tugs, launches or boats, in the waters bordering on this State.

The People of the State of Michigan enact:

Fishing tugs,
to be licensed.

SECTION 1. It shall be unlawful to use for the purpose of commercial fishing, or for the purpose of catching fish to be offered for sale, in any of the waters bordering on this State, any kind of a boat, tug or launch, except row boat, without such boat, tug or launch shall be registered in the office of the State Game and Fish Warden, and a license issued therefor.

Application,
to whom
made, what
to state, etc.

SEC. 2. Any person, firm, company, copartnership, partnership association or corporation, desiring a license under the provisions of this act, shall make application therefor, on oath, to the State Game and Fish Warden, on blanks provided by the State Game and Fish Warden, accompanied by the fee hereinafter provided. Such application shall state the name and residence of the applicant, the owner of the tug, launch or boat intended to be licensed.

State game
warden,
when to
issue.

SEC. 3. It shall be the duty of the State Game and Fish Warden, when application is made by any person, firm, company, copartnership, partnership association or corporation, to issue licenses provided for in this act upon payment by the applicant, if a resident of this State, of the following fees: For each steam tug, steamboat or steam launch, without a steam lifter, ten dollars per year; for each steam tug, steamboat or steam launch, or other boat with a steam lifter, twenty-five dollars per year; for any other boat, launch or tug propelled with any other power, except row boats and sail boats, ten dollars a year each; for each sail boat, one dollar per year: *Provided*, That non-residents of this State shall pay the following fees: For each steam tug, steamboat or steam launch, without a steam lifter, one hundred dollars a year; for each steam tug, steamboat, steam launch, or other boat with a steam lifter, two hundred dollars a year; for any other boat, launch or tug propelled with any other

Fees.

Proviso,
non-resident
fees.

power, except row boats and sail boats, fifty dollars a year each; for each sail boat, two dollars per year: *Provided* Further proviso. *further*, That for the purposes of this act, any firm, company, copartnership, partnership association or corporation, in which less than fifty-one per cent of their stock is actually owned by residents of this State, shall be considered non-residents.

SEC. 4. Upon the payment of the fee provided for in this act, the State Game and Fish Warden shall have prepared and shall issue to persons, firms or corporations entitled to the same, a printed or written license signed by him, setting forth the date of issuing the same, to whom issued, the date on which it will expire, and the kind of boat, tug or launch for which said license was issued. License, what to set forth.

SEC. 5. All boat licenses shall expire on the first day of April following their issue. The State Game and Fish Warden shall keep a record of all applications and licenses. On the first day of each month, the State Game and Fish Warden shall pay over to the State Treasurer all moneys received by him under the provisions of this act, and said moneys shall be credited to the State Game and Fish Warden's fund and be disbursed in accordance with the law for the enforcement of the statutes regulating and protecting the commercial fishing interests. Expiration of. Fees, where credited.

SEC. 6. Nothing contained in this act shall be deemed as authorizing the taking of fish or the use of illegal nets, or of the setting of nets at a place or places or times or otherwise forbidden by law. Illegal nets, etc., not authorized.

SEC. 7. Any person, persons, firm, company, copartner-ship, partnership association or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof, before any justice having jurisdiction, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars and costs of prosecution, or by imprisonment in the county jail for a period not exceeding sixty days, or by both such fine and imprisonment in the discretion of the court: *Provided*, Penalty for violation. *however*, Each violation shall be deemed a separate and distinct offense. Proviso, violation separate offense.

Approved June 17, 1907.

possession or enjoyment at or after such death,'” are hereby amended to read as follows:

Tax a lien on property transferred.

Tax, to whom paid.

Receipts for, to whom sent.

Duties of Auditor General as to receipts.

When estate to be closed.

SEC. 3. Every such tax and the interest thereon herein provided for shall be and remain a lien upon the property transferred until paid, and the person to whom the property is so transferred and the administrator, executor, and trustee of every estate so transferred, shall be personally liable for such tax until its payment; except that the executor or administrator shall not be personally liable for the tax upon a reversion or remainder consisting of real estate where the election provided for in section seven is made. The tax shall be paid to the treasurer of the county in which the probate court has jurisdiction as herein provided, and said treasurer shall make out, upon forms prescribed by the Auditor General, receipts in duplicate, and immediately send the same to the Auditor General, and accompany them with the amount received in funds by law receivable at the State treasury. It shall then be the duty of the Auditor General to charge the treasurer so receiving the tax with the amount thereof and credit him with the payment of same to State Treasurer, and in case the determination of said tax and said receipt are believed to be in accordance with law, seal said receipts with the seal of his office and countersign the same and return one of them to the county treasurer who shall file and preserve it in his office and immediately send the other of such receipts to the judge of probate who shall file and preserve it in his office, whereupon it shall be a voucher in settlement of the accounts of the executor, administrator, or trustee of the estate upon which the tax is paid. At the same time the Auditor General shall send to the county treasurer the State Treasurer's receipt, countersigned as required by law, showing payment of tax. The sealing and countersigning of said receipts shall not prejudice the right of the State to a review of the determination fixing the tax. The receipts issued under this section shall show whether the amount paid is a payment of the tax upon any beneficial interest or upon the entire transfer. But no executor, administrator or trustee of an estate, in settlement of which a tax is due under the provisions of this act, shall be discharged and the estate or trust closed by a decree of the court, unless there shall be produced a receipt signed by the county treasurer and sealed and countersigned by the Auditor General, or a copy thereof, certified by the county treasurer, or unless payment of the tax has been deferred as prescribed by section seven of this act. When any such tax shall be paid to the county treasurer, he shall, in addition to the duplicate receipts required to be issued upon the form

prescribed by the Auditor General, give the executor, administrator, trustee, or other person paying the tax, a simple receipt for the amount received. All taxes imposed by this act shall accrue and be due and payable at the time of transfer, which is the date of death: *Provided, however,* That taxes upon the transfer of any estate, property or interest therein limited, conditioned, dependent or determinable upon the happening of any contingency or future event, by reason of which the clear market value thereof cannot be ascertained at the time of the transfer as herein provided, shall accrue and become due and payable when the persons or corporations beneficially entitled thereto shall come into actual possession or enjoyment thereof.

Taxes, when due.

Proviso as to time of payment of.

First, All proceedings to enforce any lien now existing, or which may hereafter accrue, against any property under this act, shall be instituted by information, in the name of the people of the State of Michigan, addressed to the circuit court in chancery of the county in which such property is situated. It shall be signed by the Attorney General and need not be otherwise verified, and shall be equivalent to a bill in chancery to enforce the lien against such property. And in such proceedings, all persons owning such property or any interest therein as shown by the record in the office of the register of deeds, or by the records of the probate court, at the time of the commencement of the proceedings, shall be made parties to such action, and all other persons having any rights or interest in said property, may make themselves parties thereto, on motion to the court, and notice to complainant, and may file their intervening or cross bills, or answers claiming the benefit of cross bills, and notices of lis pendens therein. Intervening or cross bills shall be made on oath;

Proceedings to enforce lien, how instituted.

Who to be parties in action.

Second, Such information shall show the name of the deceased, date of his death, the place of residence at the time of death, the county in which his estate was probated, the description of the property transferred, whether by will or under the intestate laws, and against which the lien exists, the name of the person or persons to whom it was transferred, the amount of taxes determined by the probate court upon the transfer, the date of the determination and whether the property is owned by the person or persons to whom it was transferred by will or under the intestate laws or by a subsequent purchaser, naming him. Such information shall also show that the taxes determined upon the transfer of such property have not been paid and the amount of interest due thereon upon the date of the filing of the information. In those cases in which the property upon which the lien exists is owned by the person or persons to whom it was transferred by will or under the intestate laws, the prayer for relief shall be that the court determine the amount due; that the defendant pay to the county

Information to institute proceedings, what to show.

Prayer for relief, determination of court in certain cases.

In other cases.	<p>treasurer of the county, in which the estate was probated, for and in behalf of the State of Michigan, whatever sum shall appear to be due, together with the costs of the proceeding, and that in default of such payment the property upon which the lien exists, may be sold in the manner herein provided, to satisfy such taxes, interest and cost. In those cases in which the property upon which the lien exists is owned by a subsequent purchaser, the prayer for relief shall be that the court determine the amount due and that the property upon which the lien exists may be sold in the manner herein provided to satisfy such taxes, interest and costs of the proceeding. Such information may contain such other and further allegations and prayers as are deemed material and permitted by the rules and practice of the court;</p>
Information, what may contain.	<p>Third, A certified copy of the order of determination of the inheritance tax, for which the lien exists, certified by either the judge or register of probate of the court that determined the tax or by the Auditor General, may be attached to such information, and when so attached shall be considered a part thereof and shall be prima facie evidence of the determination of the inheritance tax and the accruing of the lien against such property. Also a certificate of the Auditor General stating that the inheritance tax, or any part thereof determined upon the transfer of such property upon which the lien exists, has not been paid, may be attached to such information and when so attached shall be considered a part thereof and shall be prima facie evidence of the non-payment of such an amount of the tax and interest as shown to be unpaid by such certificate;</p>
As to non-payment.	<p>Fourth, All provisions of law now existing relative to the service of process in chancery cases, and all provisions of law now existing relative to all matters of procedure and practice in chancery cases, not otherwise herein specifically provided for, shall govern in so far as they are applicable in all proceedings instituted under this act;</p>
Procedure in chancery cases, when to govern proceedings.	<p>Fifth, If any infant, insane, or otherwise mentally incompetent, person has any interest in the property upon which the lien exists, service of process shall be made upon such a person in the same manner and with the same effect as upon persons not under any disability, whether such infant, insane, or otherwise mentally incompetent person is within or without the jurisdiction;</p>
Service of process, on incompetents.	<p>Sixth, After the issuing and service of process against the infant, insane, or otherwise incompetent person, a guardian ad litem may be appointed for such infant, insane, or otherwise incompetent person by the court upon motion of the Attorney General, or such guardian ad litem may be appointed by the court upon the request of such infant, and in case of an insane or otherwise incompetent person, at the request of such person's general guardian;</p>
Guardian, when and by whom appointed.	

Seventh, If upon the hearing of said cause it shall appear that the inheritance taxes and interest, or either, upon the transfer of the property upon which the lien exists have not been paid, the court shall decree the amount of taxes and interest thereon found to be due, together with such costs as are now allowed by law in chancery cases as the court shall award, to be paid by the person or persons owning the property, or any interest therein, within three months after the entry of said decree and that in default of such payment that the property upon which the lien exists, be sold to satisfy such taxes, interest and costs. If it shall appear that the person or persons to whom was transferred the property by will or under the intestate laws, have parted with their interest therein before the institution of the proceedings herein provided for, and that such property is owned by a subsequent purchaser, the court shall decree that such property be sold to satisfy such taxes, interest and costs, unless the owner thereof satisfies such taxes, interest and costs within three months from the entry of such decree: *Provided*, That in those cases in which it shall appear that two or more pieces or parcels of land were transferred by will or under the intestate laws, to one person, and that such person has, prior to the institution of the proceedings herein provided for, parted with either or all of said pieces or parcels of land and that the court can ascertain from the order of determination, the amount of inheritance tax, determined upon the transfer of each piece or parcel and that the lien against all of said pieces or parcels is being foreclosed in one proceeding, the court may decree the sale of said piece or parcel, to satisfy the amount of tax determined upon the transfer of said piece or parcel, together with the interest thereon and the pro rata costs of the proceeding; *Provided*, That in no case shall any such property be sold to satisfy such taxes, interest and costs within three months after the entry of such decree: *Provided further*, That if the person or persons owning such property or any interest therein, his heirs, executors, administrators, or any person lawfully claiming from or under him or them, shall within six months from the time of such sale redeem the entire premises sold, by paying to the register of deeds in whose office the deed is deposited, as provided by the eleventh subdivision of this section, for the benefit of such purchaser, his executors, administrators, or assigns, the sum which was bid therefor at the time of sale, with interest, at the rate of six per cent. together with the sum of one dollar as a fee for the care and custody of such redemption money, and the fee paid by the purchaser for recording his deed, then said deed shall be void and of no effect, but in case any distinct lot or parcel separately sold shall be redeemed leaving a portion of the premises unredeemed, then such deed shall be inoperative merely to the parcel or parcels so redeemed and

Proceedings, when taxes are not paid upon transfer of property.

When property transferred by will, etc., have been parted with.

Proviso as to transfer of more than one parcel.

Proviso as to time of sale.

Proviso as to redeeming property sold.

In other cases.

Information, what may contain.

Evidence of determination of tax.

As to non-payment.

Procedure in chancery cases, when to govern proceedings.

Service of process, on incompetents.

Guardian, when and by whom appointed.

treasurer of the county, in which the estate was probated, for and in behalf of the State of Michigan, whatever sum shall appear to be due, together with the costs of the proceeding, and that in default of such payment the property upon which the lien exists, may be sold in the manner herein provided, to satisfy such taxes, interest and cost. In those cases in which the property upon which the lien exists is owned by a subsequent purchaser, the prayer for relief shall be that the court determine the amount due and that the property upon which the lien exists may be sold in the manner herein provided to satisfy such taxes, interest and costs of the proceeding. Such information may contain such other and further allegations and prayers as are deemed material and permitted by the rules and practice of the court;

Third, A certified copy of the order of determination of the inheritance tax, for which the lien exists, certified by either the judge or register of probate of the court that determined the tax or by the Auditor General, may be attached to such information, and when so attached shall be considered a part thereof and shall be prima facie evidence of the determination of the inheritance tax and the accruing of the lien against such property. Also a certificate of the Auditor General stating that the inheritance tax, or any part thereof determined upon the transfer of such property upon which the lien exists, has not been paid, may be attached to such information and when so attached shall be considered a part thereof and shall be prima facie evidence of the non-payment of such an amount of the tax and interest as shown to be unpaid by such certificate;

Fourth, All provisions of law now existing relative to the service of process in chancery cases, and all provisions of law now existing relative to all matters of procedure and practice in chancery cases, not otherwise herein specifically provided for, shall govern in so far as they are applicable in all proceedings instituted under this act;

Fifth, If any infant, insane, or otherwise mentally incompetent, person has any interest in the property upon which the lien exists, service of process shall be made upon such a person in the same manner and with the same effect as upon persons not under any disability, whether such infant, insane, or otherwise mentally incompetent person is within or without the jurisdiction;

Sixth, After the issuing and service of process against the infant, insane, or otherwise incompetent person, a guardian ad litem may be appointed for such infant, insane, or otherwise incompetent person by the court upon motion of the Attorney General, or such guardian ad litem may be appointed by the court upon the request of such infant, and in case of an insane or otherwise incompetent person, at the request of such person's general guardian;

Seventh, If upon the hearing of said cause it shall appear that the inheritance taxes and interest, or either, upon the transfer of the property upon which the lien exists have not been paid, the court shall decree the amount of taxes and interest thereon found to be due, together with such costs as are now allowed by law in chancery cases as the court shall award, to be paid by the person or persons owning the property, or any interest therein, within three months after the entry of said decree and that in default of such payment that the property upon which the lien exists, be sold to satisfy such taxes, interest and costs. If it shall appear that the person or persons to whom was transferred the property by will or under the intestate laws, have parted with their interest therein before the institution of the proceedings herein provided for, and that such property is owned by a subsequent purchaser, the court shall decree that such property be sold to satisfy such taxes, interest and costs, unless the owner thereof satisfies such taxes, interest and costs within three months from the entry of such decree: *Provided*, That in those cases in which it shall appear that two or more pieces or parcels of land were transferred by will or under the intestate laws, to one person, and that such person has, prior to the institution of the proceedings herein provided for, parted with either or all of said pieces or parcels of land and that the court can ascertain from the order of determination, the amount of inheritance tax, determined upon the transfer of each piece or parcel and that the lien against all of said pieces or parcels is being foreclosed in one proceeding, the court may decree the sale of said piece or parcel, to satisfy the amount of tax determined upon the transfer of said piece or parcel, together with the interest thereon and the pro rata costs of the proceeding; *Provided*, That in no case shall any such property be sold to satisfy such taxes, interest and costs within three months after the entry of such decree: *Provided further*, That if the person or persons owning such property or any interest therein, his heirs, executors, administrators, or any person lawfully claiming from or under him or them, shall within six months from the time of such sale redeem the entire premises sold, by paying to the register of deeds in whose office the deed is deposited, as provided by the eleventh subdivision of this section, for the benefit of such purchaser, his executors, administrators, or assigns, the sum which was bid therefor at the time of sale, with interest, at the rate of six per cent. together with the sum of one dollar as a fee for the care and custody of such redemption money, and the fee paid by the purchaser for recording his deed, then said deed shall be void and of no effect, but in case any distinct lot or parcel separately sold shall be redeemed leaving a portion of the premises unredeemed, then such deed shall be inoperative merely to the parcel or parcels so redeemed and

Proceedings,
when taxes
are not paid
upon transfer
of property.

When
property
transferred
by will, etc.,
have been
parted with.

Proviso as to
transfer of
more than
one parcel.

Proviso as to
time of sale.

Proviso as to
redeeming
property sold.

	to those portions not so redeemed shall remain valid and of full effect;
Sale of property, when court to order.	Eighth, If it shall appear to the court after the expiration of three months from the date of entry of the decree from a certificate of the county treasurer to whom the taxes, interest and costs were to be paid, attached to a petition of the Attorney General for an order of sale of such property, that the same have not been paid, he shall enter an order directing the circuit court commissioner, or some other person duly authorized by the order of the court, to sell such property. Such sales shall be at public vendue between the hours of nine o'clock in the morning and six o'clock in the evening at the court house or at such other place as the court shall direct, within sixty days from the date of the order and on the date therein specified: <i>Provided</i> , That the court may, if necessary, by further order adjourn the sale from time to time: <i>Provided further</i> , That the circuit court commissioner, or other person authorized to make such sale, may, if bids are not received equal to the amount of taxes, interest and costs, adjourn the sale from time to time. But in no case shall such sale be adjourned for more than sixty days at any one time;
Time and place of.	
Proviso as to adjournment.	
Further proviso.	
Time of adjournment limited.	
Order of sale, publishing of.	Ninth, Upon receipt of a certified copy of the order of sale the circuit court commissioner, or other person duly authorized by the order of the court, to conduct such sale, shall publish the same in some newspaper printed in the county or such other paper as the court may direct, once in each week, for three weeks in succession: <i>Provided</i> , That if the sale is adjourned by order of the court, or by the circuit court commissioner, or other person duly authorized by the order of the court, to conduct such sale the same publication shall be had of the order or notice adjourning the sale as is herein provided for publishing the order of sale: <i>Provided further</i> , That proof of such publication shall be filed with the register in chancery before the sale;
Proviso, order of adjournment.	
Proviso as to filing proof of publication.	
Sale, certified report of, where filed.	Tenth, The circuit court commissioner, or other person authorized to make such sale shall make and file a report of the same. Such report shall be entitled in the court and cause and shall be certified and filed with the register in chancery;
Deeds, execution of, what to specify.	
When and where deposited.	Eleventh, Deeds shall thereupon be executed by such circuit court commissioner, or other person, making such sale, specifying the names of the parties in the suit, the date of the determination of the inheritance tax; the name of the deceased, the county in which the estate was probated, with a description of the premises and the amount for which each parcel of land therein described was sold, and he shall indorse upon each deed when the same shall become operative, in case the premises are not redeemed according to law. Such deed or deeds shall, as soon as practicable and within twenty days after such sale, be deposited with the register of deeds of the county in which the land therein described

is situated, and the register shall endorse thereon the time the same was received and for a better preservation thereof, shall record the same at length in a book to be provided for in his office for that purpose, and shall index the same in the regular index of deeds, and the fees for recording same shall be paid by the purchaser and be included among the other costs and expenses. In case such premises or any parcel thereof shall be redeemed the register of deeds shall write on the face of such record the word "Redeemed," stating at what date such entry is made and signing such entry with his official signature. Unless the premises described in such deed, or any parcel thereof, shall be redeemed within the time limited for such redemption, as herein provided, such deed shall thereupon as to all parcels not so redeemed, become operative and shall vest in the grantee therein named, his heirs or assigns all the right, title and interest therein which the person or persons received therein either from the deceased by reason of the transfer to them by will or under the intestate laws, or as subsequent purchasers;

Twelfth, The proceeds of every sale herein provided for shall be paid to the treasurer of the county wherein the estate was probated, to be applied to the discharge of the tax, interest and costs, and if there be any surplus, it shall be brought into court for the use of the defendant, or the person entitled thereto, subject to the order of the court. The redemption money paid to the register of deeds, shall be paid to the persons entitled thereto as soon as practical, and in those cases in which the State was the purchaser, the money shall be paid to the treasurer of the county wherein the estate was probated, and if there be any surplus after the tax, interest and costs are satisfied, the same shall be brought into court for the use of the defendant or the person entitled thereto, subject to the order of the court;

Thirteenth, Upon the filing of the information, two dollars as fees shall be paid to the register in chancery, which shall be in full of all register fees and charges in such proceedings, on his behalf. The circuit court commissioner, or other person authorized by the court to make the sale, shall be entitled to the following fees and no others: For attending sale and adjourning same, one dollar; for attending sale and making same, one dollar and fifty cents; mileage, one way, ten cents per mile; executing deed or deeds on real estate sales, twenty-five cents for each deed necessarily executed; making report of sale and filing same, one dollar. The cost of publishing any legal notices herein required to be published shall be at the rate of seventy cents per folio for the first insertion, and thirty-five cents per folio for each subsequent insertion. The fees which are provided for in this act, shall be added by the circuit court commissioner, or other person duly authorized to make the sale, to the tax, interest and costs awarded by the court as charges against the land.

To be
recorded.

"Redeemed,"
when written
on face of
record.

When deed
becomes
operative.

Proceeds of
sale, to whom
paid, how
applied.

Redemption
moneys, dis-
position of.

Fees, for
filing infor-
mation, to
whom paid.

For con-
ducting sale,
etc.

Legal notices,
cost of
publishing.

Fees, to be
charges
against land.

Discount
when allowed.

Interest
charges on
deferred
payments.

Appraiser,
appointment
of.

Certain
property,
how ap-
praised.

Proviso as to
inability to
ascertain
value of.

Certain
property,
value of,
how de-
termined.

SEC. 4. If in any case, whether such transfer shall take effect prior or subsequent to the taking effect of this act, such a tax is paid within twelve months from the accruing thereof, a discount of five per centum shall be allowed and deducted therefrom. If such tax is not paid within eighteen months from the accruing thereof, interest shall be charged and collected thereon at the rate of eight per cent. per annum from the time the tax accrued, unless by reason of claims made upon the estate, necessary litigation or other unavoidable cause of delay, such tax cannot be determined and paid as herein provided, in which case interest at the rate of six per cent. per annum shall be charged upon such tax from and after the expiration of said eighteen months until the tax is determined, or could be determined, and after the determination, or after the time it could be determined, interest at eight per cent. per annum shall be charged until the date of the payment thereof. In all cases where payment is deferred as provided in section seven of this act, interest shall be charged at the rate of five per centum per annum from the accrual of the tax until the date of the payment thereof.

SEC. 11. The judge of probate, upon the application of any interested party, including the Auditor General and county treasurers, or upon his own motion, shall, as often as and whenever occasion may require, appoint a competent person as appraiser to fix the clear market value at the time of the transfer thereof of property which shall be subject to the payment of any tax imposed by this act, a description of which property and the names and residences of the persons to whom it passes shall be given by the judge of probate to such appraiser. If the property, upon the transfer of which the tax is imposed, shall be an estate, income or interest for a term of years or for life, or determinable upon any future or contingent estate, or shall be a remainder or reversion or other expectancy, real or personal, the entire property or fund by which such estate, income or interest is supported, or of which it is a part, shall be appraised immediately after such transfer, or as soon thereafter as may be practicable, at the clear market value thereof as of that date: *Provided, however,* That when such estate, income or interest shall be of such a nature that its clear market value cannot be ascertained at such time, it shall be appraised in like manner at the time when such value first became ascertainable. The value of every future or contingent or limited estate, income, interest or annuity, dependent upon any life or lives in being, shall be determined by the rule, method or standard of mortality and value employed by the Commissioner of Insurance in ascertaining the value of policies of life insurance companies, except that the rate of interest for computing the present value of all future and contingent interests or estates shall be five per centum per

annum. The Commissioner of Insurance shall, upon request of the Auditor General, prepare such tables of values, expectancies and other matters as may be necessary for use in computing, under the provisions of this act, the value of life estates, annuities, reversions and remainders, which shall be printed and furnished by the Auditor General to the several judges of probate upon request: *Provided further*, That the clear market value of the transfer of a money legacy, presently taxable, shall for the purposes of this act be taken to be the face value of the money at the date of death of decedent.

Tables of value, etc., preparing and furnishing of, by and to whom.

Proviso as to money legacy.

SEC. 19. Each county treasurer shall make a report under oath to the Auditor General on January, April, July, and October first of each year of all taxes received by him under this act during the preceding calendar quarter, stating for what estate and by whom and when paid. If in any calendar quarter the county treasurer has received no tax under this act, the report shall affirmatively show this fact. The form of such report shall be prescribed by the Auditor General. If receipts issued by the county treasurer and money received thereon are not forwarded within the time specified in section three of this act, he shall pay interest at the rate of eight per cent. per annum in addition to the amount of such delinquent taxes then in arrears. The Auditor General may employ not to exceed three examiners whose duties shall be to make examinations of the records of the several probate courts, county treasurers and registers of deeds in this State, and report their findings to him and perform such other duties under the provisions of this act as the Auditor General may direct, at a salary of not to exceed fifteen hundred dollars per annum, payable in the same manner as the salaries of other State officers are now paid. The expenses of said examiners shall be paid out of the general fund in the State treasury upon allowance by the State Board of Auditors after approval by the Auditor General.

Report of taxes, when, by and to whom made, what to state.

Form of.

When county treasurer to pay interest on tax moneys.

Examiners, by whom appointed, duties of, salary.

Expenses, how paid.

This act is ordered to take immediate effect.

Approved June 17, 1907.

[No. 156.]

AN ACT to amend sections five and twenty-six of chapter twelve of the revised statutes of eighteen hundred forty-six relating to certain State officers, the same being sections sixty-nine and ninety-eight of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Sections five and twenty-six of chapter twelve of the revised statutes of eighteen hundred forty-six relating to certain State officers, the same being sections sixty-nine and ninety-eight of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

Deputy
Secretary of
State, salary.

SEC. 5. The Secretary of State may appoint a deputy, and revoke such appointment at pleasure; and whenever the Secretary of State shall, by reason of sickness, absence, or other cause, be disabled from executing the duties of his office, his deputy, duly appointed, shall execute the duties thereof until such disability be removed or until a secretary shall be appointed, and such deputy shall receive a salary of twenty-five hundred dollars per year, payable monthly from the general fund in the State treasury, in the same manner that the salaries of other State officers are paid.

Deputy
Auditor
General,
salary.

SEC. 26. The Auditor General may appoint a deputy for whose acts he shall be responsible, and may revoke such appointment at pleasure; and such deputy may execute the duties of the office during the sickness or absence of the Auditor General, and shall receive a salary of twenty-five hundred dollars per year, payable monthly from the general fund in the State treasury, in the same manner that the salaries of other State officers are paid.

This act is ordered to take immediate effect.

Approved June 17, 1907.

[No. 157.]

AN ACT to make it unlawful for any physician or surgeon engaged in the practice of medicine in this State to employ any solicitor, capper or drummer for the purpose of procuring patients; to subsidize any hotel or boarding house; or to pay or present to any person money or other valuable gift for bringing patients to him, and to prescribe the punishment therefor.

The People of the State of Michigan enact:

SECTION 1. Any physician or surgeon engaged in the practice of medicine in this State, who shall employ any solicitor, capper, or drummer for the purpose of procuring patients, or who shall subsidize any hotel or boarding house, or who shall pay or present to any person money or other valuable gift for bringing patients to him, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than two hundred dollars or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment in the discretion of the court. Employment of solicitor, etc., unlawful.
Penalty.

This act is ordered to take immediate effect.

Approved June 17, 1907.

[No. 158.]

AN ACT to amend section fifteen of act number two hundred seventeen of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws organizing asylums for the insane and to regulate the care, management and use thereof, and to provide for the apprehension of persons believed to be insane, and for their care and custody."

The People of the State of Michigan enact:

SECTION 1. Section fifteen of act number two hundred seventeen of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws organizing asylums for the insane and to regulate the care, management and use thereof, and to provide for the apprehension of persons believed to be insane, and for their care and custody," is amended to read as follows: Section amended.

SEC. 15. Certificates of insanity must be made by two reputable physicians, under oath, appointed by the probate Certificates of insanity.

court of the county where such alleged insane person resides, or is an inhabitant, to conduct the examination. The physicians must be permanent residents of the State, duly registered according to law, have the qualifications prescribed by the laws of this State for the practice of medicine and surgery therein, and shall not be related by blood or marriage to the alleged insane person, nor to the person applying for such certificate, and such qualification shall be certified to by the clerk of the county in which such physicians reside, which certificate shall be in the following form:

Form of.

State of Michigan, }
County of } ss.

I hereby certify that of
is a duly registered physician and surgeon, and has the
qualifications prescribed by the laws of this State for the
practice of medicine and surgery therein, as shown by....
.....certificate of registration now on file in my office.

(Seal.)

.....,
County Clerk.

Physician
not to be
interested
personally.

Personal
examination.

Certificates,
what to
show.

Compensation.

Neither of such physicians shall be a trustee, superintendent, proprietor, officer, stockholder, or have any pecuniary interest, directly or indirectly, or be an attending physician, in the institution to which it is proposed to commit such person. The physicians are empowered to go where said alleged insane person may be and make such personal examination of him as to enable them to form an opinion as to his sanity or insanity, and no certificate of insanity shall be made except after such personal examination. Certificates of insanity must show that it is the opinion of the physicians that the alleged insane person is actually insane, and shall contain the facts and circumstances upon which the opinion of the physicians is based, and show that the condition of the person examined is such as to require care and treatment in an asylum for the care, custody and treatment of the insane. Each physician making such examination and certifying the condition as to the sanity of such alleged insane person, shall, regardless of whether he finds such person to be insane or not, be entitled to receive for such services a sum of not less than five dollars, and ten cents per mile for travel necessarily performed in going to the place of such examination, and such further sum for expenses as the probate court shall allow.

Approved June 17, 1907.

[No. 159.]

AN ACT to amend section forty-eight b of act number forty-one of the public acts of nineteen hundred one, entitled "An act to amend act number one hundred eighty-three of the public acts of eighteen hundred ninety-seven, entitled 'An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan,' approved May twenty-nine, eighteen hundred ninety-seven, by adding a new section to stand between sections forty-eight a and forty-nine of said act, to be known as section forty-eight b."

The People of the State of Michigan enact:

SECTION 1. Section forty-eight b of act number forty-one of the public acts of nineteen hundred one, entitled "An act to amend act number one hundred eighty-three of the public acts of eighteen hundred ninety-seven, entitled 'An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan,' approved May twenty-nine, eighteen hundred ninety-seven, by adding a new section to stand between sections forty-eight a and forty-nine of said act, to be known as section forty-eight b," is hereby amended to read as follows: Section amended.

SEC. 48 b. In the thirty-seventh circuit of the State of Michigan the stenographer shall be paid the annual salary of fifteen hundred dollars. Stenographer, salary of.

This act is ordered to take immediate effect.

Approved June 17, 1907.

[No. 160.]

AN ACT to provide for the salary of a stenographer in the thirty-ninth judicial circuit.

The People of the State of Michigan enact:

SECTION 1. In the thirty-ninth judicial circuit, the circuit court stenographer shall be paid an annual salary of twelve hundred dollars, out of the treasury of Lenawee county, in the manner required by law. Circuit court stenographer, salary of.

This act is ordered to take immediate effect.

Approved June 17, 1907.

[No. 161.]

AN ACT to amend section ten of act one hundred fifty-seven of the public acts of eighteen hundred fifty-one, entitled "An act to define the limits, jurisdiction and powers of circuit courts," as amended by act three hundred nine of the public acts of nineteen hundred five, entitled "An act to amend section ten of chapter twenty-five of the Compiled Laws of eighteen hundred ninety-seven, said section relating to changes of venue and being compiler's section three hundred nine of said compilation."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section ten of act one hundred fifty-seven of the public acts of eighteen hundred fifty-one, entitled "An act to define the limits, jurisdiction and powers of circuit courts," as amended by act three hundred nine of the public acts of nineteen hundred five, entitled "An act to amend section ten of chapter twenty-five of the Compiled Laws of eighteen hundred ninety-seven, said section relating to changes of venue and being compiler's section three hundred nine of said compilation," is hereby amended to read as follows:

Change of
venue.

SEC. 10. Each of the said courts, upon good cause shown, may change the venue in any cause pending therein, and direct the issue to be tried in the circuit court of another county, and make all necessary rules and orders for the certifying and removing such cause, and all matters relating thereto, to the court in which such issue shall be ordered to be tried, and the court to which such cause shall be so removed shall proceed to hear, try, and determine the same, and execution may thereupon be had in the same manner as if the same had been originally prosecuted in their county, except that

Execution,
how may
be had.

Criminal cases
excepted.

in all criminal causes, when the defendant shall be convicted and be sentenced to imprisonment in a common jail or to pay a fine, or to both such imprisonment and fine, the court awarding such sentence shall have authority to direct and shall direct, that the defendant be imprisoned in the common jail of the county in which such prosecution commenced; and that such fine, when paid, shall be paid over to the county treasurer of the county in which such prosecution commenced, in the same manner as is now provided by law for paying over fines to county treasurers; and in every criminal case where a change of venue is ordered, all expenses of such trial shall be a charge upon the county in which the prosecution originated; and when there shall be a disagreement of the jury on the trial of any criminal cause, in the circuit court to which such cause was ordered for trial, the circuit judge before whom the same was tried, if he shall deem that the public good requires the same, may, upon cause shown by either party, order and direct the issue to be tried in the circuit court of

Fine, where
paid.

Costs of
criminal case
when change
of venue
ordered.

Disagreement
of jury.

another county in the State; and the court to which such cause shall be removed shall proceed to hear, try and determine the same in the same manner and with like effect as was pursued by the circuit court making such order: *Provided*, That in any and all suits, proceedings, causes, or actions now pending in any of the circuit courts of this State, whether the court has general or special jurisdiction, a change of venue may be had in the manner provided and in accordance with said section ten of act one hundred fifty-seven of the public acts of eighteen hundred fifty-one, as amended by said act number three hundred nine of the public acts of nineteen hundred five, and the provisions of said act shall be continued in full force and effect for such purpose: *Provided further*, That in all suits, proceedings, causes, or actions in which a change of venue has been granted, the court to which such suit, proceeding, cause or action has been transferred, shall retain jurisdiction.

Proviso, suits,
etc., now
pending.

Further
proviso,
jurisdiction
when re-
tained.

This act is ordered to take immediate effect.

Approved June 17, 1907.

[No. 162.]

AN ACT to amend section thirty-one of act number one hundred thirteen of the public acts of the State of Michigan for the year eighteen hundred seventy-seven, approved May eleven, eighteen hundred seventy-seven, entitled "An act to revise the laws providing for the incorporation of companies for mining, smelting and manufacturing iron, copper, silver, mineral coal and other ores or minerals, and to fix the duties and liabilities of such corporations," being compiler's section number seven thousand twenty-one of the Compiled Laws of the State of Michigan for the year eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section thirty-one, of act number one hundred thirteen of the public acts of the State of Michigan for the year eighteen hundred seventy-seven, approved May eleven, eighteen hundred seventy-seven, entitled "An act to revise the laws providing for the incorporation of companies for mining, smelting and manufacturing iron, copper, silver, mineral coal and other ores or minerals, and to fix the duties and liabilities of such corporations," being compiler's section number seven thousand twenty-one of the Compiled Laws of the State of Michigan for the year eighteen hundred ninety-seven, is hereby amended to read as follows:

Section
amended.

Examination in materia-medica, etc.	medica and therapeutics and practice of medicine, shall be such as may be answered alike by all schools of medicine;
Average required.	(d) The applicant shall, if possible, be examined in materia-medica and therapeutics and practice of medicine by those members of the board or by a qualified examiner appointed by the board, belonging to the same school as the applicant, and no applicant shall be rejected because of his adherence to any particular system of practice;
Proviso, requirement modified.	(e) An average percentage of at least seventy-five per cent of correct answers on all of the subjects listed under this section, and of not less than fifty per cent on each subject, shall be required of every applicant: <i>Provided</i> , That in the case of a qualified applicant who has been in reputable practice at least five years, at the discretion of the board, this requirement of minimum percentage may be modified by the board to meet the necessities of the case.
No additional fee for registration. Proviso, applicant to have diploma.	No additional fee shall be charged by this board for the registration of those who successfully pass such examination: <i>Provided, however</i> , That such applicant for examination shall have a diploma from a legally incorporated, regularly established and reputable college of medicine within the states, territories, districts and provinces of the United States, or within any foreign nation, provided such foreign nation accord a like privilege to graduates of approved medical colleges of this State, having at least a four years' course of seven months in each calendar year, as shall be approved and designated by the Board of Registration in Medicine: <i>Also Provided</i> , That such applicant shall have, previous to the beginning of his course in medicine, a diploma from a recognized and reputable high school, academy, college or university, having a classical course, or shall pass an examination equivalent at least to the minimum standard of preliminary education adopted and published by the board before examiners appointed by and in accordance with the regulations of aforesaid board, and at such time and place as the board may designate: <i>Provided</i> , A student entering a college in Michigan, having a preliminary examination of a standard approved by the Board of Registration of Medicine shall not be required to take this examination: <i>Provided</i> , That this requirement of preliminary education shall not apply to those students who, on the date of the passage of this act, were regularly registered as students of legally organized and reputable medical colleges approved of by said board: And <i>Provided also</i> , That the requirement of medical education shall not apply to those graduates of legally organized and reputable medical colleges approved of by said board who had graduated from such colleges, previous to the date of the passage of this act; and students complying with the other provisions of this section who, on January first of the present year, were regularly registered as students of legally organized and
Proviso, preliminary education.	
Proviso, when examination not required.	
Proviso, as to registered students.	
Proviso, as to medical education.	
Certificates without examination by board.	

reputable medical colleges of this State, approved of by said board, may obtain a certificate of registration as graduates of such colleges and without examination by the board upon payment of a fee of ten dollars. The Board of Registration in Medicine shall, from time to time, adopt and publish a minimum standard of medical education, and no medical college shall be approved and designated by said board under this subdivision one, of section three, unless, in the judgment of the board, it conforms with such standard: *Provided*, That any raising of the standard of medical education, including preliminary education, by the board under this provision shall not go into effect until at least one year after its adoption and publication by the board: And *Provided further*, That the standard of preliminary education under the provisions of this act shall not exceed the standard fixed for admission to the literary department of the University of Michigan;

Publication
of minimum
standard.

Proviso,
raising of
standard,
when effective.

Further
proviso,
standard.

Second, The applicant shall be registered and given a certificate of registration if he shall present a certified copy or certificate of registration or license which has been issued to said applicant in any foreign nation where the requirements of registration shall be deemed by said Board of Registration in Medicine to be equivalent to those of this act: *Provided*, Such country shall accord a like privilege to holders of certificates from this board. The fee for registration from applicants of this class shall be fifty dollars;

Licentiatees of
foreign
countries.

Proviso.
Fee.

Third, The applicant shall be registered and given a certificate of registration if he shall present a certified copy of certificate of registration or license which has been issued to said applicant within the states, territories, districts or provinces of the United States where the requirements for registration shall be deemed by the Board of Registration in Medicine to be equivalent to those of this act, and shall otherwise conform to the rules and regulations agreed upon between the State Board of which he is a licentiate and said board relative to the recognition and exchange of certificates between states. The fee for registration from applicants of this class shall be fifty dollars;

Residents of
other states.

Fee.

Fourth, If any person shall unlawfully obtain and procure himself to be registered under this section, either by false and untrue statements contained in his application to the Board of Registration in Medicine, or by presenting to said board a false or untrue diploma or license, or one fraudulently obtained, he shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not less than three hundred dollars nor more than five hundred dollars, or imprisoned at hard labor for not less than one year, nor more than three years, or both, at the discretion of the court, and shall forfeit all rights and privileges obtained or conferred upon him by virtue of such registration as a physician or surgeon;

Untrue
statements,
etc., deemed
felony.

Penalty.

Fifth, Any person who shall swear falsely in any affi- Perjury.

	medica and therapeutics and practice of medicine, shall be such as may be answered alike by all schools of medicine;
Examination in materia-medica, etc.	(d) The applicant shall, if possible, be examined in materia-medica and therapeutics and practice of medicine by those members of the board or by a qualified examiner appointed by the board, belonging to the same school as the applicant, and no applicant shall be rejected because of his adherence to any particular system of practice;
Average required.	(e) An average percentage of at least seventy-five per cent of correct answers on all of the subjects listed under this section, and of not less than fifty per cent on each subject, shall be required of every applicant: <i>Provided</i> , That in the case of a qualified applicant who has been in reputable practice at least five years, at the discretion of the board, this requirement of minimum percentage may be modified by the board to meet the necessities of the case. No additional fee shall be charged by this board for the registration of those who successfully pass such examination: <i>Provided, however</i> , That such applicant for examination shall have a diploma from a legally incorporated, regularly established and reputable college of medicine within the states, territories, districts and provinces of the United States, or within any foreign nation, provided such foreign nation accord a like privilege to graduates of approved medical colleges of this State, having at least a four years' course of seven months in each calendar year, as shall be approved and designated by the Board of Registration in Medicine: <i>Also Provided</i> , That such applicant shall have, previous to the beginning of his course in medicine, a diploma from a recognized and reputable high school, academy, college or university, having a classical course, or shall pass an examination equivalent at least to the minimum standard of preliminary education adopted and published by the board before examiners appointed by and in accordance with the regulations of aforesaid board, and at such time and place as the board may designate: <i>Provided</i> , A student entering a college in Michigan, having a preliminary examination of a standard approved by the Board of Registration of Medicine shall not be required to take this examination: <i>Provided</i> , That this requirement of preliminary education shall not apply to those students who, on the date of the passage of this act, were regularly registered as students of legally organized and reputable medical colleges approved of by said board: <i>And Provided also</i> , That the requirement of medical education shall not apply to those graduates of legally organized and reputable medical colleges approved of by said board who had graduated from such colleges, previous to the date of the passage of this act; and students complying with the other provisions of this section who, on January first of the present year, were regularly registered as students of legally organized and
Proviso, requirement modified.	
No additional fee for registration.	
Proviso, applicant to have diploma.	
Proviso, preliminary education.	
Proviso, when examination not required.	
Proviso, as to registered students.	
Proviso, as to medical education.	
Certificates without examination by board.	

reputable medical colleges of this State, approved of by said board, may obtain a certificate of registration as graduates of such colleges and without examination by the board upon payment of a fee of ten dollars. The Board of Registration in Medicine shall, from time to time, adopt and publish a minimum standard of medical education, and no medical college shall be approved and designated by said board under this subdivision one, of section three, unless, in the judgment of the board, it conforms with such standard: *Provided*, That any raising of the standard of medical education, including preliminary education, by the board under this provision shall not go into effect until at least one year after its adoption and publication by the board: And *Provided further*, That the standard of preliminary education under the provisions of this act shall not exceed the standard fixed for admission to the literary department of the University of Michigan;

Publication
of minimum
standard.

Proviso,
raising of
standard,
when effective.

Further
proviso,
standard.

Second, The applicant shall be registered and given a certificate of registration if he shall present a certified copy or certificate of registration or license which has been issued to said applicant in any foreign nation where the requirements of registration shall be deemed by said Board of Registration in Medicine to be equivalent to those of this act: *Provided*, Such country shall accord a like privilege to holders of certificates from this board. The fee for registration from applicants of this class shall be fifty dollars;

Licentiatees of
foreign
countries.

Proviso.
Fee.

Third, The applicant shall be registered and given a certificate of registration if he shall present a certified copy of certificate of registration or license which has been issued to said applicant within the states, territories, districts or provinces of the United States where the requirements for registration shall be deemed by the Board of Registration in Medicine to be equivalent to those of this act, and shall otherwise conform to the rules and regulations agreed upon between the State Board of which he is a licentiate and said board relative to the recognition and exchange of certificates between states. The fee for registration from applicants of this class shall be fifty dollars;

Residents of
other states.

Fee.

Fourth, If any person shall unlawfully obtain and procure himself to be registered under this section, either by false and untrue statements contained in his application to the Board of Registration in Medicine, or by presenting to said board a false or untrue diploma or license, or one fraudulently obtained, he shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine of not less than three hundred dollars nor more than five hundred dollars, or imprisoned at hard labor for not less than one year, nor more than three years, or both, at the discretion of the court, and shall forfeit all rights and privileges obtained or conferred upon him by virtue of such registration as a physician or surgeon;

Untrue
statements,
etc., deemed
felony.

Penalty.

Fifth, Any person who shall swear falsely in any affi- Perjury.

When board
shall refuse
certificate.

"Unpro-
fessional and
dishonest
conduct,"
defined.

Misdemeanor.

Penalty.

Misdemeanor
created by act,
how con-
strued.

Certificate,
may suspend
or revoke.

davit or oral testimony made or given by virtue of the provisions of this act, or the regulations of the Board of Registration in Medicine, shall be deemed guilty of perjury, and upon conviction thereof, shall be subject to all the pains and penalties of perjury;

Sixth, The Board of Registration in Medicine shall refuse to issue a certificate of registration provided for in this section to any person guilty of grossly unprofessional and dishonest conduct. The words "unprofessional and dishonest conduct," as used in this act, are hereby declared to mean:

First, The procuring, aiding or abetting in procuring a criminal abortion;

Second, The obtaining of any fee on the assurance that an incurable disease can be permanently cured;

Third, The wilfully betraying of a professional secret;

Fourth, All advertising of medical business in which grossly improbable statements are made, or where specific mention is made in such advertisements of venereal diseases or diseases of the genito-urinary organs;

Fifth, Having professional connection with, or lending one's name to an illegal practitioner of medicine; or having professional connection with any person who had been convicted in a court of competent jurisdiction under the provisions of this section;

Sixth, All advertising, of any nature or kind, of any medicine, or of any means for the regulation or re-establishment of the menses;

Seventh, All advertising of any matter of an obscene or offensive nature derogatory to good morals;

Eighth, Employing any capper, solicitor or drummer for the purpose of securing patients; or subsidizing any hotel or boarding-house with a like purpose; or paying or presenting to any person money or any other thing of value with a like purpose;

Ninth, Being guilty of offenses involving moral turpitude, habitual intemperance, or being habitually addicted to the use of morphine, opium, cocaine or other drugs having a similar effect. It shall be a misdemeanor for any person to be guilty of "unprofessional and dishonest conduct" as defined in this act. Any person who shall be charged with the commission of such misdemeanor shall be tried in a court of competent criminal jurisdiction and upon conviction thereof shall be fined for each offense not to exceed two hundred and fifty dollars, or shall be imprisoned in the county jail not to exceed three months, or may be both fined and imprisoned in the discretion of the court. The creation of such misdemeanor by this act shall not be construed to supersede any existing remedy or punishment, whether civil or criminal for any act embraced within the provisions of this act, but shall be construed to be in addition thereto. The Board of Registration in Medicine shall, upon the filing with it of a duly certified copy of a final conviction, obtained in

accordance with the provisions of this act, revoke or suspend for a limited period, not less than six months, the certificate of the person so convicted. Said board may, after fair hearing, revoke any certificate of registration heretofore or hereafter granted upon mistake of material fact or by reason of fraudulent misrepresentation of fact by such applicant. The said Board of Registration shall also revoke any certificate obtained through fraud or perjury, or the certificate of any person guilty of a criminal offense created by or embraced within the provisions of this act, when such criminal offense or such fraud or perjury shall have been legally established in a court of competent jurisdiction.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 165.]

AN ACT to protect fish in that part of Big Portage lake lying in Washtenaw county, and to protect fish in Little Portage lake in Washtenaw county, and to regulate the spearing of ciscos and carp in said Little Portage lake.

The People of the State of Michigan enact:

SECTION 1. It shall not be lawful for any person to spear Unlawful to spear. or attempt to spear at any time any fish in the waters of Big and Little Portage lakes lying in the counties of Washtenaw and Livingston: *Provided*, It shall not be unlawful to spear ciscos and carp in the waters of Little Portage lake Proviso, ciscos, open season. by means of artificial light from the fifteenth day of November to the thirtieth day, inclusive, of the same month, of each year: *Provided also*, The provisions of this act shall not apply to that part of Big Portage lake lying in Livingston county. Every person desirous of spearing such fish in the waters of said lake, shall first make application to the deputy game warden of Washtenaw county for a license so Proviso, Big Portage lake. to do, for which license such person shall pay the sum of License, application for; fee. one dollar per year, this fee to go to the said deputy game warden, as remuneration for his constant attendance in the vicinity of said lakes during the period mentioned. The licenses herein provided for shall be issued by said deputy game warden, at his expense and shall be substantially in the following form: Form of.

Office of Deputy Game Warden.

.....19....

..... having paid to me the statutory fee of one dollar, is hereby licensed to spear ciscos and carp in the waters of Little Portage lake, Washtenaw

county, from the fifteenth day of November to the thirtieth day of the same month, inclusive.

(Signed).....

Deputy Game Warden for
Washtenaw county.

Penalty for
violation.

SEC. 2. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not less than ten nor more than one hundred dollars or by imprisonment in the county jail of the county in which the offense shall be committed, for a period of not less than ten nor more than thirty days or by both fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 166.]

AN ACT to compel the trimming of hedges or hedge rows.

The People of the State of Michigan enact:

Hedges,
trimming of,
height, etc.

SECTION 1. It shall be the duty of every owner, occupant or person having charge of lands in this State, to cut or trim, or cause to be cut or trimmed, to a height not exceeding four and one-half feet and a width not to exceed three feet, all hedges or hedge rows along, or on the public highway, or adjacent thereto, in each and every year, except such hedges as shall have been set out for the protection of fruit trees and nursery stock. Trimmings or brush from such hedge rows shall not be left lying within the limits of the highway, but shall be forthwith removed.

Trimmings
removed.

Penalty for
violation.

SEC. 2. Any owner, occupant or person having charge of lands who shall fail to comply with the provisions of this act, on conviction before a court of competent jurisdiction, shall be punished by a fine not more than ten dollars, together with the cost of prosecution, and in default of payment of the same shall be imprisoned in the county jail of the county where the land is situated, for a period not exceeding twenty days.

Ordered to take effect September first, nineteen hundred eight.

Approved June 18, 1907.

[No. 167.]

AN ACT to provide for the incorporation of companies for the purpose of prospecting for, manufacturing or refining oil.

The People of the State of Michigan enact:

SECTION 1. Any number of persons, not less than three, desiring to become incorporated for the purpose of prospecting for, manufacturing or refining oil, may, by complying with all the provisions of act number one hundred thirteen of the public acts of eighteen hundred seventy-seven, being chapter one hundred eighty-seven of the Compiled Laws of eighteen hundred ninety-seven, entitled "An act to revise the laws providing for the incorporation of companies for mining, smelting or manufacturing iron, copper, silver, mineral coal and other ores and minerals, and to fix the duties and liabilities of such corporations," and the acts amendatory thereof, with their successors and assigns, may become a body politic and corporate with all the powers, duties and liabilities of corporations organized under the act above mentioned: *Provided however,* That the capital stock of such corporation may be not less than five thousand dollars nor more than twenty-five thousand dollars, the par value of the shares to be not less than one dollar nor more than ten dollars for each share.

Number may incorporate.

To comply with certain act.

Proviso, capital stock, limit, etc.

Approved June 18, 1907.

[No. 168.]

AN ACT to provide for the raising of funds by taxation or the sale of bonds for the improvement of highways in counties or parts of counties, which have adopted the county road system.

The People of the State of Michigan enact:

SECTION 1. All counties or parts of counties which shall have adopted the county road system, may raise by tax for the improvement of the highways in the road district so constituted, not exceeding two dollars on each one thousand dollars of the assessed valuation upon the assessment rolls of the county or district for the preceding year, except in Wayne county, which shall not exceed fifty cents on each one thousand dollars of the assessed valuation.

County road system, amount may raise by tax under.

SEC. 2. All counties or parts of counties in the State, which have adopted the county road system, may issue

May issue bonds.

Proviso, issue,
how approved.

Further
proviso,
limit.

How applied.

Election on
question of
issue.

How
governed.

Further
proviso,
general
election.

bonds for the payment of the improvement of such highways as the commissioners of highways decide to make: *Provided*, Such issue is approved by a vote of the electors of such county or district: *Provided further*, That such bonds are not issued in excess of three per cent of the valuation of the property assessable for the said highway improvement.

SEC. 3. Such bonds shall not run for longer than twenty years, nor be sold for less than par, and it is further provided that the funds arising from the sale of such bonds shall be applied solely to the building of improved highways under the control of the road commissioners for the county or road district.

SEC. 4. It is further hereby provided that the board of supervisors in the county may order an election on the question of issuing such bonds in the county or road district on petition of twenty-five freeholders residing in the territory affected, and such election may be held under the provisions of the general election laws.

SEC. 5. It is further provided that, if a general election be held within six months of the filing of such a petition as is referred to above, the question of issuance of such bonds shall be submitted at such election, but if not, a special election for this question may be called by the board of supervisors.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 169.]

AN ACT to amend sections one, two, three, ten and seventeen, of act number one hundred thirteen of the public acts of nineteen hundred one, as amended by act number one hundred seventy-one, public acts of nineteen hundred five, entitled "An act to provide for the inspection of manufacturing establishments, workshops, hotels and stores in this State; to provide for the regulation of such establishments, and the employment of women and children therein; to regulate the conduct of sweatshops, so-called; to provide for the enforcement of the provisions of this act; and to make an appropriation for the purpose of carrying out the same."

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Sections one, two, three, ten and seventeen of act number one hundred thirteen of the public acts of nineteen hundred one, as amended by act number one hundred

seventy-one, public acts of nineteen hundred five, entitled "An act to provide for the inspection of manufacturing establishments, workshops, hotels and stores, in this State; to provide for the regulation of such establishments, and the employment of women and children therein; to regulate the conduct of sweatshops, so-called; to provide for the enforcement of the provisions of this act; and to make an appropriation for the purpose of carrying out the same," is hereby amended to read as follows:

SEC. 1. No male under the age of eighteen years and no female shall be employed in any manufacturing establishment in this State for a longer period than sixty hours in any one week, unless for the purpose of making necessary repairs to machinery in order to avoid the stoppage of the ordinary running of such establishments, and that no male under the age of eighteen years and no female shall be employed in any store in the State, employing more than ten persons, for a longer period than sixty hours in any one week: *Provided*, That no more than ten hours shall be exacted from such male minor or female on any day unless for the purpose of making a shorter workday on the last day of the week.

Hours of employment limited for minors and females.

Proviso.

SEC. 2. No child under the age of twenty-one years shall be employed, permitted or suffered to work in any theatre, concert hall or place of amusement where intoxicating liquors are sold, and no child under the age of fourteen years shall be employed in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, passenger or freight elevator, factory or workshop, telegraph or messenger service within this State. It shall be the duty of every person employing children to keep a register in which shall be recorded the name, birthplace, age and place of residence of every person employed by him or her under the age of sixteen years and that no child shall be employed between the hours of six o'clock p. m. and seven o'clock a. m. in any manufacturing establishment or workshop in this State and it shall be unlawful for any mercantile institution, store, office, hotel, laundry, manufacturing establishment, workshop, telegraph or messenger service or any person coming within the provisions of this act to hire or employ any child under the age of sixteen years without there is first provided and placed on file a sworn statement made by the parent or guardian, stating the age, date and place of birth of said child and that the child can read and write the English language: *Provided, however*, That if said child has been born in a foreign country, not having been a resident of the United States for three years prior to the application for permit to be employed between the age of fourteen and sixteen years a permit shall be issued to said child upon proof that said child can read and write. If said child have no parent or guardian then said statement shall be made by

Employment of children.

Register, what to contain.

When unlawful to employ, etc.

Proviso, as to foreign born.

Statement, how made, where filed.

When board
shall refuse
certificate.

"Unpro-
fessional and
dishonest
conduct,"
defined.

Misdemeanor.

Penalty.

Misdemeanor
created by act,
how con-
strued.

Certificate,
may suspend
or revoke.

davit or oral testimony made or given by virtue of the provisions of this act, or the regulations of the Board of Registration in Medicine, shall be deemed guilty of perjury, and upon conviction thereof, shall be subject to all the pains and penalties of perjury;

Sixth, The Board of Registration in Medicine shall refuse to issue a certificate of registration provided for in this section to any person guilty of grossly unprofessional and dishonest conduct. The words "unprofessional and dishonest conduct," as used in this act, are hereby declared to mean:

First, The procuring, aiding or abetting in procuring a criminal abortion;

Second, The obtaining of any fee on the assurance that an incurable disease can be permanently cured;

Third, The wilfully betraying of a professional secret;

Fourth, All advertising of medical business in which grossly improbable statements are made, or where specific mention is made in such advertisements of venereal diseases or diseases of the genito-urinary organs;

Fifth, Having professional connection with, or lending one's name to an illegal practitioner of medicine; or having professional connection with any person who had been convicted in a court of competent jurisdiction under the provisions of this section;

Sixth, All advertising, of any nature or kind, of any medicine, or of any means for the regulation or re-establishment of the menses;

Seventh, All advertising of any matter of an obscene or offensive nature derogatory to good morals;

Eighth, Employing any capper, solicitor or drummer for the purpose of securing patients; or subsidizing any hotel or boarding-house with a like purpose; or paying or presenting to any person money or any other thing of value with a like purpose;

Ninth, Being guilty of offenses involving moral turpitude, habitual intemperance, or being habitually addicted to the use of morphine, opium, cocaine or other drugs having a similar effect. It shall be a misdemeanor for any person to be guilty of "unprofessional and dishonest conduct" as defined in this act. Any person who shall be charged with the commission of such misdemeanor shall be tried in a court of competent criminal jurisdiction and upon conviction thereof shall be fined for each offense not to exceed two hundred and fifty dollars, or shall be imprisoned in the county jail not to exceed three months, or may be both fined and imprisoned in the discretion of the court. The creation of such misdemeanor by this act shall not be construed to supersede any existing remedy or punishment, whether civil or criminal for any act embraced within the provisions of this act, but shall be construed to be in addition thereto. The Board of Registration in Medicine shall, upon the filing with it of a duly certified copy of a final conviction, obtained in

accordance with the provisions of this act, revoke or suspend for a limited period, not less than six months, the certificate of the person so convicted. Said board may, after fair hearing, revoke any certificate of registration heretofore or hereafter granted upon mistake of material fact or by reason of fraudulent misrepresentation of fact by such applicant. The said Board of Registration shall also revoke any certificate obtained through fraud or perjury, or the certificate of any person guilty of a criminal offense created by or embraced within the provisions of this act, when such criminal offense or such fraud or perjury shall have been legally established in a court of competent jurisdiction.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 165.]

AN ACT to protect fish in that part of Big Portage lake lying in Washtenaw county, and to protect fish in Little Portage lake in Washtenaw county, and to regulate the spearing of ciscos and carp in said Little Portage lake.

The People of the State of Michigan enact:

SECTION 1. It shall not be lawful for any person to spear or attempt to spear at any time any fish in the waters of Big and Little Portage lakes lying in the counties of Washtenaw and Livingston: *Provided*, It shall not be unlawful to spear ciscos and carp in the waters of Little Portage lake by means of artificial light from the fifteenth day of November to the thirtieth day, inclusive, of the same month, of each year: *Provided also*, The provisions of this act shall not apply to that part of Big Portage lake lying in Livingston county. Every person desirous of spearing such fish in the waters of said lake, shall first make application to the deputy game warden of Washtenaw county for a license so to do, for which license such person shall pay the sum of one dollar per year, this fee to go to the said deputy game warden, as remuneration for his constant attendance in the vicinity of said lakes during the period mentioned. The licenses herein provided for shall be issued by said deputy game warden, at his expense and shall be substantially in the following form:

Unlawful
to spear.

Proviso,
ciscos, open
season.

Proviso, Big
Portage lake.

License,
application
for; fee.

Form of.

Office of Deputy Game Warden.

.....19....

..... having paid to me the statutory fee of one dollar, is hereby licensed to spear ciscos and carp in the waters of Little Portage lake, Washtenaw

county, from the fifteenth day of November to the thirtieth day of the same month, inclusive.

(Signed)

Deputy Game Warden for
Washtenaw county.

Penalty for
violation.

SEC. 2. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not less than ten nor more than one hundred dollars or by imprisonment in the county jail of the county in which the offense shall be committed, for a period of not less than ten nor more than thirty days or by both fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 166.]

AN ACT to compel the trimming of hedges or hedge rows.

The People of the State of Michigan enact:

Hedges,
trimming of,
height, etc.

Trimmings
removed.

Penalty for
violation.

SECTION 1. It shall be the duty of every owner, occupant or person having charge of lands in this State, to cut or trim, or cause to be cut or trimmed, to a height not exceeding four and one-half feet and a width not to exceed three feet, all hedges or hedge rows along, or on the public highway, or adjacent thereto, in each and every year, except such hedges as shall have been set out for the protection of fruit trees and nursery stock. Trimmings or brush from such hedge rows shall not be left lying within the limits of the highway, but shall be forthwith removed.

SEC. 2. Any owner, occupant or person having charge of lands who shall fail to comply with the provisions of this act, on conviction before a court of competent jurisdiction, shall be punished by a fine not more than ten dollars, together with the cost of prosecution, and in default of payment of the same shall be imprisoned in the county jail of the county where the land is situated, for a period not exceeding twenty days.

Ordered to take effect September first, nineteen hundred eight.

Approved June 18, 1907.

[No. 167.]

AN ACT to provide for the incorporation of companies for the purpose of prospecting for, manufacturing or refining oil.

The People of the State of Michigan enact:

SECTION 1. Any number of persons, not less than three, Number may incorporate. desiring to become incorporated for the purpose of prospecting for, manufacturing or refining oil, may, by complying with all the provisions of act number one hundred thirteen To comply with certain act. of the public acts of eighteen hundred seventy-seven, being chapter one hundred eighty-seven of the Compiled Laws of eighteen hundred ninety-seven, entitled "An act to revise the laws providing for the incorporation of companies for mining, smelting or manufacturing iron, copper, silver, mineral coal and other ores and minerals, and to fix the duties and liabilities of such corporations," and the acts amendatory thereof, with their successors and assigns, may become a body politic and corporate with all the powers, duties and liabilities of corporations organized under the act above mentioned: *Provided however,* That the capital stock of Proviso, capital stock, limit, etc. such corporation may be not less than five thousand dollars nor more than twenty-five thousand dollars, the par value of the shares to be not less than one dollar nor more than ten dollars for each share.

Approved June 18, 1907.

[No. 168.]

AN ACT to provide for the raising of funds by taxation or the sale of bonds for the improvement of highways in counties or parts of counties, which have adopted the county road system.

The People of the State of Michigan enact:

SECTION 1. All counties or parts of counties which shall have adopted the county road system, may raise by tax for the improvement of the highways in the road district so constituted, not exceeding two dollars on each one thousand dollars of the assessed valuation upon the assessment rolls of the county or district for the preceding year, except in Wayne county, which shall not exceed fifty cents on each one thousand dollars of the assessed valuation. County road system, amount may raise by tax under.

SEC. 2. All counties or parts of counties in the State, May issue bonds. which have adopted the county road system, may issue

Proviso, issue, how approved.	bonds for the payment of the improvement of such highways as the commissioners of highways decide to make: <i>Provided</i> , Such issue is approved by a vote of the electors of such county or district: <i>Provided further</i> , That such bonds are not issued in excess of three per cent of the valuation of the property assessable for the said highway improvement.
Further proviso, limit.	
How applied.	SEC. 3. Such bonds shall not run for longer then twenty years, nor be sold for less than par, and it is further provided that the funds arising from the sale of such bonds shall be applied solely to the building of improved highways under the control of the road commissioners for the county or road district.
Election on question of issue.	SEC. 4. It is further hereby provided that the board of supervisors in the county may order an election on the question of issuing such bonds in the county or road district on petition of twenty-five freeholders residing in the territory affected, and such election may be held under the provisions of the general election laws.
How governed.	SEC. 5. It is further provided that, if a general election be held within six months of the filing of such a petition as is referred to above, the question of issuance of such bonds shall be submitted at such election, but if not, a special election for this question may be called by the board of supervisors.
Further proviso, general election.	This act is ordered to take immediate effect. Approved June 18, 1907.

[No. 169.]

AN ACT to amend sections one, two, three, ten and seventeen, of act number one hundred thirteen of the public acts of nineteen hundred one, as amended by act number one hundred seventy-one, public acts of nineteen hundred five, entitled "An act to provide for the inspection of manufacturing establishments, workshops, hotels and stores in this State; to provide for the regulation of such establishments, and the employment of women and children therein; to regulate the conduct of sweatshops, so-called; to provide for the enforcement of the provisions of this act; and to make an appropriation for the purpose of carrying out the same."

The People of the State of Michigan enact:

Sections amended.	SECTION 1. Sections one, two, three, ten and seventeen of act number one hundred thirteen of the public acts of nineteen hundred one, as amended by act number one hundred
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seventy-one, public acts of nineteen hundred five, entitled "An act to provide for the inspection of manufacturing establishments, workshops, hotels and stores, in this State; to provide for the regulation of such establishments, and the employment of women and children therein; to regulate the conduct of sweatshops, so-called; to provide for the enforcement of the provisions of this act; and to make an appropriation for the purpose of carrying out the same," is hereby amended to read as follows:

SEC. 1. No male under the age of eighteen years and no female shall be employed in any manufacturing establishment in this State for a longer period than sixty hours in any one week, unless for the purpose of making necessary repairs to machinery in order to avoid the stoppage of the ordinary running of such establishments, and that no male under the age of eighteen years and no female shall be employed in any store in the State, employing more than ten persons, for a longer period than sixty hours in any one week: *Provided*, That no more than ten hours shall be exacted from such male minor or female on any day unless for the purpose of making a shorter workday on the last day of the week.

Hours of employment limited for minors and females.

Proviso.

SEC. 2. No child under the age of twenty-one years shall be employed, permitted or suffered to work in any theatre, concert hall or place of amusement where intoxicating liquors are sold, and no child under the age of fourteen years shall be employed in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, passenger or freight elevator, factory or workshop, telegraph or messenger service within this State. It shall be the duty of every person employing children to keep a register in which shall be recorded the name, birthplace, age and place of residence of every person employed by him or her under the age of sixteen years and that no child shall be employed between the hours of six o'clock p. m. and seven o'clock a. m. in any manufacturing establishment or workshop in this State and it shall be unlawful for any mercantile institution, store, office, hotel, laundry, manufacturing establishment, workshop, telegraph or messenger service or any person coming within the provisions of this act to hire or employ any child under the age of sixteen years without there is first provided and placed on file a sworn statement made by the parent or guardian, stating the age, date and place of birth of said child and that the child can read and write the English language: *Provided, however*, That if said child has been born in a foreign country, not having been a resident of the United States for three years prior to the application for permit to be employed between the age of fourteen and sixteen years a permit shall be issued to said child upon proof that said child can read and write. If said child have no parent or guardian then said statement shall be made by

Employment of children.

Register, what to contain.

When unlawful to employ, etc.

Proviso, as to foreign born.

Statement, how made, where filed.

Further
proviso.

Age restric-
tion for
dangerous
employment,
etc.

Wash and
dressing
rooms.

Where both
sexes are
employed.

Proviso, in
hotels.

Permit for
certain
manufacturing
in tenements,
etc.

What to state.

Revocation of.

the child, which statement shall be kept on file by the employer, and be returned to the child upon leaving his employ, and which said register and statement shall be produced for inspection on demand of any factory inspector appointed under this act: *Provided further*, That in the city of Detroit and the city of Grand Rapids all sworn statements shall be made before a deputy factory inspector.

SEC. 3. No female under the age of twenty-one years and no male under the age of eighteen years shall be employed by any person, firm or corporation, at employment whereby his or her life or limb is endangered, or health likely to be injured, or his or her morals may be depraved by such employment and that no such male or female shall be allowed to clean machinery while in motion.

SEC. 10. Every manufacturing establishment, workshop, hotel or store in which five or more persons are employed, and every institution in which two or more children, young persons or women are employed, shall be supplied with proper wash and dressing rooms, and kept in a cleanly state and free from effluvia arising from any drain, privy, or other nuisance, and shall be provided within reasonable access with a sufficient number of proper water closets, earth closets or privies for the reasonable use of persons employed therein, at least one of such closets for each twenty-five persons employed; and wherever two or more persons and one or more female persons are employed as aforesaid, a sufficient number of separate and distinct water closets, earth closets or privies shall be provided for the use of each sex, and plainly so designated and no person shall be allowed to use any such closet or privy assigned to persons of the other sex: *Provided*, That in all hotels where sleeping rooms are provided for female help such rooms shall have proper heat and ventilation.

SEC. 17. No room or apartment in any tenement or dwelling house shall be used for the manufacture of coats, vests, trousers, knee pants, overalls, skirts, dresses, cloaks, hats, caps, suspenders, jerseys, blouses, waists, waist-bands, underwear, neckwear, furs, fur trimmings, fur garments, shirts, hosiery, purses, feathers, artificial flowers, cigarettes or cigars, and no person, firm or corporation shall hire or employ any persons to work in any room, apartment or in any building or parts of buildings, at making, in whole or in part, any of the articles mentioned in this section, without first obtaining a written permit from the factory inspector, or one of his deputies, stating the maximum number of persons allowed to be employed therein and that the building or part of building intended to be used for such work or business is thoroughly cleaned, sanitary and fit for occupancy for such work or business. Such permit shall not be granted until an inspection of such premises is made by the factory inspector or one of his deputies. Said permit may be re-

voked by the factory inspector at any time the health of the community or of those so employed may require it: *Provided* Further proviso, light, heat, etc., in certain stores.

further, That in all stores where goods are manufactured, altered or repaired, work rooms shall be provided with sufficient light, heat and ventilation, as prescribed in this section. It shall be framed and posted in a conspicuous place in the room, or in one of the rooms to which it relates.

Every person, firm, company or corporation contracting for the manufacture of any of the articles mentioned in this section, or giving out the incomplete material from which they or any of them are to be made, or to be wholly or partially finished, shall, before contracting for the manufacture of any of said articles, or giving out said material from which they or any of them are to be made, require the production by such contractor, person or persons of said permit from the factory inspector, as required in this section, and shall keep a written register of the names and addresses of all persons to whom such work is given to be made, or with whom they may have contracted to do the same. Such register shall be produced for inspection and a copy thereof shall be furnished on demand made by the factory inspector or one of his deputies: *Production of permit required.*

Provided, That nothing in this section shall be so construed as to prevent the employment of a seamstress by any family for manufacturing articles for such family use. None of the work mentioned in this section shall be done in any room or apartment used for living or sleeping purposes, or which is connected with the room or rooms used for such purposes, and which has not a separate and distinct outside entrance, except by members of the family dwelling therein. *Register to be kept, what to contain, etc.*

Not less than two hundred and fifty cubic feet of air space shall be allowed for each person employed, and all work rooms shall be provided with sufficient means of light, heat and ventilation as may be prescribed by the chief factory inspector. It shall be the duty of local boards of health, health officers and physicians to report within twenty-four hours to the deputy factory inspector in their respective districts each and every case of contagious or infectious disease coming officially to their knowledge. The chief factory inspector or any duly appointed deputy factory inspector shall have power to seize and take charge of all articles found that are being made or partially made, finished, cleaned or repaired in unhealthy or unsanitary places where there are contagious or infectious diseases, in violation of the law, and may proceed to disinfect, condemn or destroy the same as in the opinion of the local board of health officer, the public health or safety may require. *Proviso, seamstress.*

Whenever it is reported to the chief factory inspector or to the State Board of Health, or to either of them, that any of the articles named in this section are being or have been shipped into this State, having previously been manufactured in whole or in part under un- *Sleeping rooms, certain work not to be done in.*

Light, ventilation, etc.

Contagious diseases.

Inspectors may seize and disinfect certain articles.

Certain goods shipped into State.

Further proviso.

Age restriction for dangerous employment, etc.

Wash and dressing rooms.

Where both sexes are employed.

Proviso, in hotels.

Permit for certain manufacturing in tenements, etc.

What to state.

Revocation of.

the child, which statement shall be kept on file by the employer, and be returned to the child upon leaving his employment, and which said register and statement shall be produced for inspection on demand of any factory inspector appointed under this act: *Provided further*, That in the city of Detroit and the city of Grand Rapids all sworn statements shall be made before a deputy factory inspector.

SEC. 3. No female under the age of twenty-one years and no male under the age of eighteen years shall be employed by any person, firm or corporation, at employment whereby his or her life or limb is endangered, or health likely to be injured, or his or her morals may be depraved by such employment and that no such male or female shall be allowed to clean machinery while in motion.

SEC. 10. Every manufacturing establishment, workshop, hotel or store in which five or more persons are employed, and every institution in which two or more children, young persons or women are employed, shall be supplied with proper wash and dressing rooms, and kept in a cleanly state and free from effluvia arising from any drain, privy, or other nuisance, and shall be provided within reasonable access with a sufficient number of proper water closets, earth closets or privies for the reasonable use of persons employed therein, at least one of such closets for each twenty-five persons employed; and wherever two or more persons and one or more female persons are employed as aforesaid, a sufficient number of separate and distinct water closets, earth closets or privies shall be provided for the use of each sex, and plainly so designated and no person shall be allowed to use any such closet or privy assigned to persons of the other sex: *Provided*, That in all hotels where sleeping rooms are provided for female help such rooms shall have proper heat and ventilation.

SEC. 17. No room or apartment in any tenement or dwelling house shall be used for the manufacture of coats, vests, trousers, knee pants, overalls, skirts, dresses, cloaks, hats, caps, suspenders, jerseys, blouses, waists, waist-bands, underwear, neckwear, furs, fur trimmings, fur garments, shirts, hosiery, purses, feathers, artificial flowers, cigarettes or cigars, and no person, firm or corporation shall hire or employ any persons to work in any room, apartment or in any building or parts of buildings, at making, in whole or in part, any of the articles mentioned in this section, without first obtaining a written permit from the factory inspector, or one of his deputies, stating the maximum number of persons allowed to be employed therein and that the building or part of building intended to be used for such work or business is thoroughly cleaned, sanitary and fit for occupancy for such work or business. Such permit shall not be granted until an inspection of such premises is made by the factory inspector or one of his deputies. Said permit may be re-

fowl by any means whatever during such time, as said person or persons are upon any floating device or contrivance propelled by or using any motor power, steam, gas, naphtha, oil, gasoline or electricity or when upon any sail boat, nor shall any person or persons make use of any swivel or punt gun for killing any of the wild water fowl or make use of any battery, sink boat or similar device whatever, save only a gun of not greater size than ten gauge, such gun to be held in the hand at the time of firing, and it shall be unlawful for any person to kill in any one day more than twenty-five game fowl or birds mentioned in this section, and it shall be unlawful for any person to have at any time in his possession or in the possession of any person, firm or corporation for him, more than seventy-five such game, fowl or birds.

Gauge of
gun.

Number of
birds limited.

Approved June 18, 1907.

[No. 171.]

AN ACT to amend section two of act one hundred fifty-four of the public acts of nineteen hundred five, entitled "An act to confer upon fire and marine insurance companies authority to insure property against loss or damage by lightning, wind and water."

The People of the State of Michigan enact:

SECTION 1. Section two of act one hundred fifty-four of the public acts of nineteen hundred five, entitled "An act to confer upon fire and marine insurance companies authority to insure property against loss or damage by lightning, wind and water," is amended to read as follows:

Section
amended.

SEC. 2. Nothing contained in this act shall be construed as in any way limiting or changing the liability under the ordinary fire policy for damage resulting from water in case of fire.

Liability for
damage from
water.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 172.]

AN ACT to amend the title and sections one and four of an act, entitled "An act in relation to life insurance companies transacting business within this State," as amended, being sections seven thousand one hundred ninety and seven thousand one hundred ninety-three of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Title and
sections
amended.

SECTION 1. The title and sections one and four of an act, entitled "An act in relation to life insurance companies transacting business within this State," as amended, being sections seven thousand one hundred ninety and seven thousand one hundred ninety-three of the Compiled Laws of eighteen hundred ninety-seven, are amended to read as follows:

TITLE.

Title.

An act in relation to life and casualty insurance companies and surety bonding companies transacting business within this State.

Number may
incorporate
for life
insurance or
surety bond-
ing business.

SEC. 1. Any number of persons, not less than thirteen, may associate together to form an incorporated company for the purpose of making insurance upon the lives of individuals, and of every insurance pertaining thereto, and to grant, purchase and dispose of annuities; also, against sickness, accidental injuries and death by accident; the indemnity of employers against injury or death by accident of their employes, and injury or death of persons occasioned by the explosion of steam boilers, the insurance of persons holding positions of public or private trust, and the doing of a general indemnity and surety bonding business. Every company organized under this act shall have authority to reinsure any risk hereafter authorized to be undertaken by them, and to grant re-insurance upon any similar risk undertaken by any other company, but shall not have power to undertake marine and fire risks, or any other species of insurance whatever, except upon lives, or to be in any way connected in their business with any company undertaking other risks than upon the lives of individuals, except as herein provided. The provisions of this section shall apply to any company heretofore organized, or that may hereafter be organized, under its provisions, for the purpose of insuring the lives of individuals, or for the purpose of paying indemnity for accidental injuries and sickness.

Reinsurance.

Fire and
marine in-
surance
prohibited.

Capital stock,
how increased,
limit, etc.

SEC. 4. The capital of any stock company organized under this act shall not be less than one hundred thousand dol-

lars in shares of fifty dollars each, which capital stock may be increased by a vote of two-thirds of the stockholders present or represented at any regular meeting called for that purpose to not more than five hundred thousand dollars; and no such stock company, and no company organized to do business on the mutual plan, shall be authorized to issue policies or assume any risk whatever until they shall have deposited with the State Treasurer, as security for any liability to insured parties, stocks or bonds of the United States or of this State, or of any city or county in this State authorized by act of legislature to issue the same, or first mortgage bonds of corporations organized under the laws of the State of Michigan, to the amount in par value, exclusive of interest, of not less than one hundred thousand dollars, which stocks or bonds shall be retained by the State Treasurer, and disposed of as hereinafter directed: *Provided*, That the capital of any stock company organized to do a general indemnity and surety bonding business shall be, for the separate purpose of such surety bonding business and additional to the capital required in any other business in which it may be lawfully engaged, not less than two hundred fifty thousand dollars nor more than one million dollars, and its deposit of securities with the State Treasurer as herein provided for shall not be less than two hundred thousand dollars, and such capital and such deposits shall be used solely in, and shall be liable only for the debts and liabilities of such surety bonding business: *Provided further*, That personal obligations secured by first mortgage on improved and productive real estate within this State, worth at least double the amount of the lien and bearing interest of not less [than] five per centum per annum, may be received by the State Treasurer instead of the bonds or stock hereinbefore provided for in this section. Such mortgages shall be properly assigned to the State Treasurer as provided for in section twenty-one of this act, but any examination by the State Treasurer or under his direction to satisfy him respecting the title or value of the property mortgaged shall be at the expense of such company; and no mutual insurance company shall commence business, by issuing policies, until they shall have received at least five hundred applications for insurance, on which the premiums shall amount to at least five thousand dollars, nor until the examination by the Attorney General and commissioner as hereinafter provided: *Provided further*, That the net indebtedness of said city or county shall not exceed five per cent of the assessed valuation of all the real estate of said city or county, said valuation to be on the basis of the last preceding equalization of the State board for counties, and the proportionate amount thereof. The term net indebtedness in this section shall be construed to denote the indebtedness of any city or county, omitting debt created for supplying the inhabitants with water, and deducting the amount of sinking funds available for the payment of such

Deposit with
state
treasurer.

Proviso, as to
capital, de-
posit, etc., of
surety com-
pany.

Further
proviso,
mortgages.

Examination.

Insurance
companies,
when may
issue policies.

Further
proviso.

[No. 172.]

AN ACT to amend the title and sections one and four of an act, entitled "An act in relation to life insurance companies transacting business within this State," as amended, being sections seven thousand one hundred ninety and seven thousand one hundred ninety-three of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Title and
sections
amended.

SECTION 1. The title and sections one and four of an act, entitled "An act in relation to life insurance companies transacting business within this State," as amended, being sections seven thousand one hundred ninety and seven thousand one hundred ninety-three of the Compiled Laws of eighteen hundred ninety-seven, are amended to read as follows:

TITLE.

Title.

An act in relation to life and casualty insurance companies and surety bonding companies transacting business within this State.

Number may
incorporate
for life
insurance or
surety bond-
ing business.

SEC. 1. Any number of persons, not less than thirteen, may associate together to form an incorporated company for the purpose of making insurance upon the lives of individuals, and of every insurance pertaining thereto, and to grant, purchase and dispose of annuities; also, against sickness, accidental injuries and death by accident; the indemnity of employers against injury or death by accident of their employes, and injury or death of persons occasioned by the explosion of steam boilers, the insurance of persons holding positions of public or private trust, and the doing of a general indemnity and surety bonding business. Every company organized under this act shall have authority to reinsure any risk hereafter authorized to be undertaken by them, and to grant re-insurance upon any similar risk undertaken by any other company, but shall not have power to undertake marine and fire risks, or any other species of insurance whatever, except upon lives, or to be in any way connected in their business with any company undertaking other risks than upon the lives of individuals, except as herein provided. The provisions of this section shall apply to any company heretofore organized, or that may hereafter be organized, under its provisions, for the purpose of insuring the lives of individuals, or for the purpose of paying indemnity for accidental injuries and sickness.

Reinsurance.

Fire and
marine in-
surance
prohibited.

Capital stock,
how increased,
limit, etc.

SEC. 4. The capital of any stock company organized under this act shall not be less than one hundred thousand dol-

lars in shares of fifty dollars each, which capital stock may be increased by a vote of two-thirds of the stockholders present or represented at any regular meeting called for that purpose to not more than five hundred thousand dollars; and no such stock company, and no company organized to do business on the mutual plan, shall be authorized to issue policies or assume any risk whatever until they shall have deposited with the State Treasurer, as security for any liability to insured parties, stocks or bonds of the United States or of this State, or of any city or county in this State authorized by act of legislature to issue the same, or first mortgage bonds of corporations organized under the laws of the State of Michigan, to the amount in par value, exclusive of interest, of not less than one hundred thousand dollars, which stocks or bonds shall be retained by the State Treasurer, and disposed of as hereinafter directed: *Provided*, That the capital of any stock company organized to do a general indemnity and surety bonding business shall be, for the separate purpose of such surety bonding business and additional to the capital required in any other business in which it may be lawfully engaged, not less than two hundred fifty thousand dollars nor more than one million dollars, and its deposit of securities with the State Treasurer as herein provided for shall not be less than two hundred thousand dollars, and such capital and such deposits shall be used solely in, and shall be liable only for the debts and liabilities of such surety bonding business: *Provided further*, That personal obligations secured by first mortgage on improved and productive real estate within this State, worth at least double the amount of the lien and bearing interest of not less [than] five per centum per annum, may be received by the State Treasurer instead of the bonds or stock hereinbefore provided for in this section. Such mortgages shall be properly assigned to the State Treasurer as provided for in section twenty-one of this act, but any examination by the State Treasurer or under his direction to satisfy him respecting the title or value of the property mortgaged shall be at the expense of such company; and no mutual insurance company shall commence business, by issuing policies, until they shall have received at least five hundred applications for insurance, on which the premiums shall amount to at least five thousand dollars, nor until the examination by the Attorney General and commissioner as hereinafter provided: *Provided further*, That the net indebtedness of said city or county shall not exceed five per cent of the assessed valuation of all the real estate of said city or county, said valuation to be on the basis of the last preceding equalization of the State board for counties, and the proportionate amount thereof. The term net indebtedness in this section shall be construed to denote the indebtedness of any city or county, omitting debt created for supplying the inhabitants with water, and deducting the amount of sinking funds available for the payment of such

Deposit with
state
treasurer.

Proviso, as to
capital, de-
posit, etc., of
surety com-
pany.

Further
proviso,
mortgages.

Examination.

Insurance
companies,
when may
issue policies.

Further
proviso.

Proviso, first mortgage bonds of corporations.	indebtedness: <i>Provided also</i> , That such first mortgage bonds of corporations organized under the laws of the State of Michigan shall not be accepted as surety unless the corporation issuing such bonds shall have paid interest on said bonds and dividends on its capital stock for three successive years immediately preceding the deposit of such security; and in case any of said securities shall depreciate below par, the State Treasurer is hereby authorized and directed to cause the corporation which has deposited them to make such depreciation good by additional deposit of such securities as are allowed by law and to prohibit any corporation from transacting any insurance business within this State until the same shall have been deposited: <i>Provided further</i> , That all provisions of law relating to the business in this State of companies doing a general surety bonding business, which are organized under the laws of other states or countries and are doing business in this State, and all other existing laws of this State relating to such surety bonding business, in any manner, shall apply, so far as they may be applicable thereto, to companies organized for the purpose of doing a general surety bonding business under the provisions of this act.
Depreciation of securities.	
Proviso, laws to apply to surety companies.	

This act is ordered to take immediate effect.
Approved June 18, 1907.

[No. 173.]

AN ACT to amend section two of chapter one hundred ninety-three of the Compiled Laws of eighteen hundred ninety-seven, entitled “An act in relation to life insurance companies transacting business within this State,” being section seven thousand one hundred ninety-one of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section amended.	SECTION 1. Section two of chapter one hundred ninety-three of the Compiled Laws of eighteen hundred ninety-seven, entitled “An act in relation to life insurance companies transacting business within this State,” is hereby amended to read as follows:
Articles, what to contain. Names, address.	SEC. 2. The persons so associating shall subscribe articles of association, which shall contain: First, The names of the associates, and their places of residence respectively;

Second, The name by which the corporation shall be known, which shall not be the same as, nor too closely resembling, the name of any other corporation organized under the laws of this State, or doing business in this State, and the place where its principal office for the transaction of business is to be established, and the period for which it is to be incorporated; Corporate name, office, etc.

Third, The purposes of the incorporation, as mentioned in the first section of this act; Purposes.

Fourth, The manner in which the corporate powers are to be exercised; the number of directors and other officers, and the manner of electing the same, and how many of the directors shall constitute a quorum, and the manner of filling all vacancies; Directors, etc.

Fifth, The amount of the capital stock, if any, and what proportion is to be paid in before the corporation shall commence business; Capital stock.

Sixth, The time for the holding of the annual meetings of the corporation; and, Annual meetings.

Seventh, Any terms and conditions of membership therein which the incorporators may have agreed upon, and which they may deem important to have set forth in such articles. And the said incorporators shall publish a copy of said articles, with notice of their intention to become incorporated under the same, in some newspaper published in the county where the principal office is to be located, once in each week for at least four weeks before filing such articles as hereinafter provided; and at the time of filing such articles, they shall also file with the Secretary of State, proof of such publication. Membership, etc.
Copy of articles, etc.
Proof of publication.

Approved June 18, 1907.

[No. 174.]

AN ACT to amend section four of chapter one hundred ninety-three of the Compiled Laws of eighteen hundred ninety-seven, entitled "An act in relation to life insurance companies transacting business within this State," as amended by the several acts amendatory thereof.

The People of the State of Michigan enact:

SECTION 1. Section four of chapter one hundred ninety-three of the Compiled Laws of eighteen hundred ninety-seven, entitled "An act in relation to life insurance companies transacting business within this State," as amended by the several acts amendatory thereof, is hereby amended to read as follows: Section amended.

Capital
limited.

Deposit of
security.

Proviso.

Further
proviso,
surety
bonding a
separate
purpose.

Deposit of
security.

Further
proviso, real
estate first
mortgages.

Further
proviso, net
indebtedness.

SEC. 4. The capital of any stock company organized under this act shall not be less than one hundred thousand dollars, in shares of fifty dollars each, which capital stock may be increased by a vote of two-thirds of the stockholders present or represented at any regular meeting called for that purpose to not more than five hundred thousand dollars; and no such stock company, and no company organized to do business on the mutual plan, shall be authorized to issue policies or assume any risk whatever until they shall have deposited with the State Treasurer, as security for any liability to insured parties, stocks or bonds of the United States or of this State, or of any city or county in this State authorized by act of legislature to issue the same, or first mortgage bonds of corporations organized under the laws of the State of Michigan, to the amount in par value, exclusive of interest, of not less than one hundred thousand dollars, which stocks or bonds shall be retained by the State Treasurer, and disposed of as hereinafter directed: *Provided, however,* That such deposits shall be made within one year from the date of the articles of association: *Provided further,* That the capital of any stock company organized to do a general indemnity and surety bonding business shall be, for the separate purpose of such surety bonding business and additional to the capital required in any other business in which it may be lawfully engaged, not less than two hundred fifty thousand dollars nor more than one million dollars and its deposit of securities with the State Treasurer as herein provided for shall not be less than two hundred thousand dollars, and such capital and such deposits shall be used solely in, and shall be liable only for the debts and liabilities of such surety bonding business: *Provided further,* That personal obligations secured by first mortgage on improved and productive real estate within this State, worth at least double the amount of the lien and bearing interest of not less than five per centum per annum, may be received by the State Treasurer instead of the bonds or stock hereinbefore provided for in this section. Such mortgages shall be properly assigned to the State Treasurer as provided for in section twenty-one of this act, but any examination by the State Treasurer or under his direction to satisfy him respecting the title or value of the property mortgaged shall be at the expense of such company; and no mutual insurance company shall commence business, by issuing policies, until they shall have received at least five hundred applications for insurance, on which the premiums shall amount to at least five thousand dollars, nor until the examination by the Attorney General and commissioner as hereinafter provided: *Provided further,* That the net indebtedness of said city or county shall not exceed five per cent of the assessed valuation of all the real estate of said city or county, said valuation to be on the basis of the last preceding equalization of

hereafter provided: And *Provided further*, That suits may be commenced in the circuit court in any county where the plaintiff resides, by declaration or writ, and service shall be made in such cases only upon the Commissioner of Insurance in like manner and with like effect as is hereinafter provided for the service of process upon societies, orders or associations organized under the laws of any other state, province or territory and doing business in this State, and not having its principal office within this State, and for the purpose of service of process as herein provided such society, order or association shall appoint in writing the Commissioner of Insurance, or his successor in office, to be its true and lawful attorney: And *Provided further*, That the trial judge may, when there is a recovery by the plaintiff in any suit commenced in the circuit court, award costs to plaintiff, notwithstanding the fact that the amount recovered is less than one hundred dollars.

Proviso,
commence-
ment of suits,
service of
process.

Proviso,
awarding of
costs.

Approved June 18, 1907.

[No. 176.]

AN ACT to authorize the incorporation of Threshers' Michigan Mutual Fire Insurance Companies and defining their powers and duties.

The People of the State of Michigan enact:

SECTION 1. Any number of manufacturers, owners or operators of grain, bean and grass seed threshing machinery, hay-pressing machinery, corn husker and shredder portable engines, whether traction or otherwise, steam or gasoline, portable sawmills and feed-mills operated or driven by portable engines, not less than ten, being residents of the State, may associate together and form or organize an incorporated company for the purpose of mutual insurance of property against loss or damage by fire or lightning, which property primarily to be insured, shall consist of portable engines, steam or gasoline, whether traction or otherwise, grain separators and attachments, bean threshers, clover hullers, hay pressing machinery, portable sawmills and feed-mills operated or driven by portable engines; and all holders of policies of such incorporated companies, whether residing

Who may
incorporate.

Property
insured.

Policy holders
to be
members.

[No. 175.]

AN ACT to amend section three of act number one hundred nineteen of the public acts of eighteen hundred ninety-three, being an act, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations; to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith," approved May twenty-five, eighteen hundred ninety-three, as amended by act two hundred sixty-three of the public acts of eighteen hundred ninety-five, approved June three, eighteen hundred ninety-five, as amended by act forty-four of the public acts of nineteen hundred three, approved April twenty-two, nineteen hundred three; the same being section seven thousand seven hundred forty-two of the Compiled Laws of eighteen hundred ninety-seven, as amended.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section three of act number one hundred nineteen of the public acts of eighteen hundred ninety-three, being an act, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations; to provide for their incorporation and the regulation of their business, and for the punishment for violation of the provisions of the act of their incorporation, and to repeal all existing acts inconsistent therewith," approved May twenty-five, eighteen hundred ninety-three, as amended by act two hundred sixty-three of the public acts of eighteen hundred ninety-five, approved June three, eighteen hundred ninety-five, as amended by act forty-four of the public acts of nineteen hundred three, approved April twenty-two, nineteen hundred three; the same being section seven thousand seven hundred forty-two of the Compiled Laws of eighteen hundred ninety-seven, as amended, is hereby amended to read as follows:

Certain
associations
may continue
business.

SEC. 3. All such associations coming within the description as set forth in section one of this act, organized under the laws of this or any other State, province or territory, and now doing business in this State, and all associations of any other state which have been authorized by the Commissioner of Insurance to do business in this State and have been doing business herein for the period of five years and upwards, may continue their business: *Provided*, That they hereafter comply with the provisions of this act regulating annual reports and the designation of the Commissioner of Insurance as the person upon whom process may be served as

Proviso.

hereafter provided: And *Provided further*, That suits may be commenced in the circuit court in any county where the plaintiff resides, by declaration or writ, and service shall be made in such cases only upon the Commissioner of Insurance in like manner and with like effect as is hereinafter provided for the service of process upon societies, orders or associations organized under the laws of any other state, province or territory and doing business in this State, and not having its principal office within this State, and for the purpose of service of process as herein provided such society, order or association shall appoint in writing the Commissioner of Insurance, or his successor in office, to be its true and lawful attorney: And *Provided further*, That the trial judge may, when there is a recovery by the plaintiff in any suit commenced in the circuit court, award costs to plaintiff, notwithstanding the fact that the amount recovered is less than one hundred dollars.

Proviso,
commence-
ment of suits,
service of
process.

Proviso,
awarding of
costs.

Approved June 18, 1907.

[No. 176.]

AN ACT to authorize the incorporation of Threshers' Michigan Mutual Fire Insurance Companies and defining their powers and duties.

The People of the State of Michigan enact:

SECTION 1. Any number of manufacturers, owners or operators of grain, bean and grass seed threshing machinery, hay-pressing machinery, corn husker and shredder portable engines, whether traction or otherwise, steam or gasoline, portable sawmills and feed-mills operated or driven by portable engines, not less than ten, being residents of the State, may associate together and form or organize an incorporated company for the purpose of mutual insurance of property against loss or damage by fire or lightning, which property primarily to be insured, shall consist of portable engines, steam or gasoline, whether traction or otherwise, grain separators and attachments, bean threshers, clover hullers, hay pressing machinery, portable sawmills and feed-mills operated or driven by portable engines; and all holders of policies of such incorporated companies, whether residing

Who may
incorporate.

Property
insured.

Policy holders
to be
members.

<p>Form of policy.</p> <p>Company, when entitled to benefit of act.</p>	<p>within or without this State, are thereby members of the company issuing such policy, which policy need not be in the form or words prescribed under the act to establish a uniform policy of insurance; but no company organized under the provisions of this act shall be entitled to the benefit of this act until articles of association and by-laws in accordance therewith have been adopted by a regular or special meeting of such company, due notice of which shall have been mailed to the members at least fifteen days before the date of said meeting.</p>
<p>Statement to be filed, how signed, etc.</p>	<p>SEC. 2. Such persons so associating shall file in the office of the Commissioner of Insurance a statement, signed by all the incorporators, stating their purpose of forming a company for the transaction of the business of insurance as expressed in the first section of this act, which statement shall also comprise a copy of the articles of association proposed to be adopted by them; and shall publish a notice of such, their intention, once in each week for at least five successive weeks, in a public newspaper published in the county in which the office of such company is proposed to be located.</p>
<p>Copy of articles.</p> <p>Publication of intention.</p>	<p>SEC. 3. The persons so associating, after having filed the statement and published the notice as aforesaid, may open books to receive propositions and enter into agreements in manner hereinafter specified and in accordance with the articles of association of said company. That insurance companies organized as aforesaid shall not commence business until bona fide agreements have been entered into with each for insurance with at least fifty individuals, covering property to be insured of not less than twenty-five thousand dollars.</p>
<p>Books, when may open, etc.</p>	<p>SEC. 4. The companies formed under this act shall not purchase or hold any real estate except:</p>
<p>When may commence business.</p>	<p>First, Such as shall be necessary for their immediate accommodation in transacting business; or,</p>
<p>Real estate may hold, etc.</p>	<p>Second, Such as shall have been conveyed or mortgaged to the companies in good faith by way of security for debts; or,</p>
	<p>Third, Such as shall have been conveyed to the companies in satisfaction for debts; or,</p>
	<p>Fourth, Such as shall have been purchased at sales upon judgments, decrees or mortgages in favor of said companies, or held or owned by them, and all real estate obtained by any provision of this section, except that mentioned in the first subdivision, shall be sold or disposed of within five years after the title has been perfected in any such company, unless the company shall procure a certificate from the Commissioner of Insurance that the interest of said company will materially suffer by forced sale, in which event the sale may be postponed for such period as the said Commissioner of Insurance shall direct in said certificate, not exceeding ten years in all.</p>
<p>Articles of association, what to declare.</p>	<p>SEC. 5. It shall be the duty of the incorporators of any company organized under the provisions of this act to declare in its articles of association, which is hereby required to be</p>

filed with and approved by the Commissioner of Insurance, the mode and manner in which the corporate powers given under and by virtue of this act are to be exercised; the mode and manner of choosing officers, trustees or directors, who shall each and all of them be residents of this State; the filling of vacancies; the period for the commencement and termination of its fiscal year, and prescribe the liabilities of the members to be assessed towards defraying the losses and expenses of such company, and the mode and manner of collecting such assessments, and the members shall be liable to assessment for all liabilities of the company to the extent declared in the articles of association. Assessment for liabilities.

SEC. 6. The articles of association thus to be filed by any such corporation, shall be examined by the Attorney General, and if found to be in accordance with the requirements of this act, he shall certify the same to the Commissioner of Insurance, and said commissioner in person, or by his deputy, or by the appointment of some other disinterested person for that purpose, shall, if he approve of the articles of association, examine and certify under oath that any such company has received and is in actual possession of the premiums or engagements of insurance, as the case may be, to the full extent required by this act. Copies of such certificate shall be filed in the office of the Commissioner of Insurance, whose duty it shall then be to furnish the corporation with a certified copy of the charter and the certificate aforesaid, which, upon being filed by it in the county clerk's office of the county in which the office of any such company is located, shall be its authority to commence business and to issue policies of insurance, and the same may be used in evidence for or against said corporation, and suits may be brought against any such company in any county in this State in which it shall do business or take risks in which the plaintiff resides or in the county where the principal office of the company is located. Articles, examination, etc., of. Certificate. Copies, where filed. Authority to commence business.

SEC. 7. The corporators, trustees, or directors, as the case may be, of any company organized under this act, shall have power to make such by-laws, not inconsistent with the constitution or laws of this State, as may be deemed necessary for the government of its officers and members, and the conduct of its affairs, but such by-laws shall not be operative until filed with and approved by the Commissioner of Insurance, who shall furnish the company with a certified copy thereof. By-laws. When operative.

SEC. 8. Any company formed under this act shall be deemed a body corporate and politic in fact and in name, and shall be subject to all the provisions of the statute in relation to corporations, so far as they shall be practicable. Corporate powers.

SEC. 9. Any such company formed under this act shall have power to amend its articles of association at the regular annual meeting held according to the provisions of said articles of association and upon giving notice of such inten- Articles, how amended.

Certificate of compliance, and copy.	tion by printed circular, or postal card, or letter to be addressed and sent by mail at least three weeks previous to such meeting to all the members, officers, trustees, and directors of such company. Said amendments so had shall be submitted to the Attorney General and his certificate of compliance with the law obtained, and a copy of said amendments with certificates shall be filed in the office of the Commissioner of Insurance, and if he approves of such amendments, shall make a certified copy thereof and deliver the same to the company, which, upon being filed with the county clerk of the county in which the office of such company is located, shall become operative.
When operative.	
Suits at law.	SEC. 10. Suits at law may be maintained by corporations formed under this act against any of its members, for any cause relating to the business of such corporation; also, suits at law may be prosecuted and maintained by any member against such corporation for claims which have accrued, if payments are withheld more than sixty days after such claims shall have become due. The articles of association and by-laws of any such company organized under the provisions of this act may provide for the receiving of applications or agreements from its members for insurance with or without taking from the insured any premium note or notes; and it shall be lawful for such mutual insurance companies to provide in its articles of association for advance assessments upon such agreements or policies issued thereon, or upon the premium note or notes as the case may be, pro rata, according to the amount of such agreements or policies or premium notes for the payment of losses and expenses to be incurred by such companies, which assessments shall be based upon the most accurate data obtainable, and all such premium notes, or agreements, or assessments shall be a lien upon the property insured to the amount of such note, notes, agreements, assessments, costs and interest due thereon.
Premium notes.	
Advance assessments..	
Assessments, how based.	
Statement of condition, what to exhibit.	SEC. 11. It shall be the duty of the president or vice-president and secretary of any such company organized under this act, annually on the first day of January, or within one month thereafter to prepare under their own oath, and deposit in the office of the Commissioner of Insurance, a statement of the condition of such company on the thirty-first day of December next preceding, exhibiting the following facts and items, namely:
Membership.	First, The number of members belonging to the company; the number of members added during the year; the number of members who have withdrawn, or whose policies have been cancelled during the year;
Risks.	Second, The amount of property at risk December thirty-first of the previous year, the amount of risks added during the year; the amount of risks cancelled, withdrawn, or terminated during the year, and the net amount at risk by the company;
Premiums.	Third, The amount of premium or deposit notes or agree-

ments in force; the amount of cash premiums or assessments actually on hand; the amount of outstanding assessments not cancelled; the nature and amount of all resources; the total amount of all resources;

Fourth, The claims for losses due and payable; the claims for losses not matured; the claims for losses resisted; the nature and amount of all other claims, due or secured, and the total amount of liabilities; Claims.

Fifth, The amount of premiums on deposit notes taken during the year; the amount collected on assessments which are levied during the year; the amount collected during the year on assessments which were levied in prior years; the amount received from membership or policy fees or from any other sources constituting an expense to the insured; the amount received from percentage on increased or decreased insurance; the income from all other sources, and the total income; Receipts.

Sixth, The amount paid for losses during the year, stating the amount of same which was for losses of previous years; the amount of salary and fees paid to officers and directors; the amount of all other expenditures during the year, and the total expenditures during the year; Expenditures.

Seventh, The Commissioner of Insurance may from time to time make any change in the form of annual reports to be made by such companies, to elicit further information regarding the conditions of the company. Annual report, change in form of.

SEC. 12. A copy of every such sworn statement and report shall in said month of January be filed in the office of the county clerk of such county where the office of the company is located; also a copy of such sworn statement with the additional affidavit showing that the same has been filed in the office of the county clerk as herein provided, shall be filed in the office of the Commissioner of Insurance; and if upon examination of such annual statement, or of the affairs of the company, it shall appear to the Commissioner of Insurance that the losses and expenses of any company organized under this act have, during the year, exceeded the cash premiums and assessments collected to such an extent as to imply a doubt in the mind of said Commissioner of Insurance as to the solvency of said company, and its ability to pay all its losses and other debts, it shall be the duty of said Commissioner of Insurance to notify the officers of said company to, at the end of sixty days from the date of such notice, discontinue the issuing of policies, and to suspend its business until such time as that the officers and directors of said company shall collect assessments, and pay such losses and debts, and satisfy said Commissioner of Insurance of the solvency of said company. Sworn statement and report, filed in county.
Affidavit.
Notice to discontinue business.

SEC. 13. In case the officers or directors of such company shall neglect or refuse to perform any of the duties required of them by this act, or shall knowingly make or permit to be made any false or imperfect statement in any annual or Penalty for neglect, false statement, etc.

other report required to be made by them, or shall knowingly aid in or formally consent to any violation of any of the provisions of this act, then in such case every such director, officer, or person so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to punishment by fine not exceeding five hundred dollars, or to imprisonment not exceeding one year; and if such neglect or refusal on the part of such officers or directors to conform to and be guided by the requirements of this act is known to the Commissioner of Insurance, it shall be his duty to notify the prosecuting attorney of the county where the office of such company is located, whose duty it shall be to commence legal proceedings against such officers or directors to enforce the penalty hereby imposed.

When
commissioner
to notify
prosecutor
to enforce
penalty.

Books, open to
examination.

SEC. 14. The books of any such company shall be open to the examination of any and all of the officers and of the members at any time; also, to the inspection of the Commissioner of Insurance in person, or by deputy, whenever he shall deem an examination necessary.

Insolvency,
etc.

SEC. 15. In case of insolvency, neglect or refusal of any such company to meet its liabilities and discharge all outstanding claims against such company, the Commissioner of Insurance may in person or by counsel appear in the circuit court of the county where the office of such company is located, and move for the appointment of a receiver for said company, and the company may also be heard upon such motion, and if it shall appear to the satisfaction of the court that the affairs of the company are in such condition that such motion for the appointment of a receiver should be granted, the said court shall then and there appoint a receiver for such company, who shall be empowered to take possession of all books, papers, moneys, and personal property of such company, in accordance with the provisions of this act and in conformity to the charter and by-laws of such company. Such receiver shall keep an accurate account of all moneys or other property received by him; he shall pay over all moneys by him collected and the proceeds of all personal property pro rata upon the liabilities of the company, retaining therefrom for his services and expenses such an amount as the court may deem reasonable; he may sue for and recover any legal assessments made upon the policy holders or members of the company, and he shall use due diligence in the settlement of the affairs of the company, and make his final report to the court making the appointment, from whence he shall get his discharge.

Receiver,
appointment
of, hearing.

Duty of.

Final report
and discharge.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 177.]

AN ACT to provide for the free distribution of the books which have been withdrawn from the traveling libraries on account of their worn condition.

The People of the State of Michigan enact:

SECTION 1. The State Librarian is hereby authorized to distribute free in the districts where, in the opinion of the State Librarian, they are needed, any and all books which, on account of their worn condition, have been withdrawn from the traveling libraries. Distribution authorized.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 178.]

AN ACT to provide for the regulation of the sale by dealers and the keeping on hand by consumers, of gasoline.

The People of the State of Michigan enact:

SECTION 1. Every person dealing at retail in gasoline, benzine or naphtha shall deliver the same to the purchaser only in barrels, casks, packages or cans painted vermilion red and having the word "gasoline," "benzine," or "naphtha" plainly stenciled thereon. No such dealer shall deliver kerosene in a barrel, cask, package or can painted or stenciled as hereinbefore provided. Every person purchasing gasoline, benzine or naphtha for use shall procure and keep the same only in barrels, casks, packages or cans painted and stenciled as hereinbefore provided. No person keeping for use or using kerosene shall put or keep the same in any barrel, cask, package or can painted or stenciled as hereinbefore provided: *Provided, however,* That in case of gasoline, benzine and naphtha being sold in bottles for cleaning and similar purposes, it shall be deemed sufficient if the contents of such bottles are so designated by a label securely pasted or attached thereto with the words "gasoline, benzine or naphtha," printed in bright red ink in letters not less than one-fourth inch in size. Cans, etc., to be used for sale of gasoline, kerosene, etc.

SEC. 2. It shall be the duty of the State Oil Inspector and his deputies to enforce the provisions of this act; and their compensation and expenses while so engaged shall be paid from the fund derived from inspection of illuminating oil. Provviso, as to gasoline sold in bottles.

Penalty for violation.

SEC. 3. Any person violating any of the provisions of section one of this act shall be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment in the county jail not to exceed ninety days, or by both such fine and imprisonment in the discretion of the court, before whom such conviction was had.

Act repealed.

SEC. 4. Act number one hundred eighty-one of the laws of eighteen hundred ninety-nine is hereby repealed.

This act is ordered to take effect November one, nineteen hundred seven.

Approved June 18, 1907.

[No. 179.]

AN ACT regulating disbursements by life insurance companies.

The People of the State of Michigan enact:

Certain disbursements to be evidenced by voucher.

Voucher, what to set forth.

Affidavit, when evidenced by.

Repealing clause.

SECTION 1. No domestic life insurance company shall make any disbursement of one hundred dollars or more unless the same be evidenced by a voucher signed by or on behalf of the person, firm, or corporation receiving the money and correctly describing the consideration for the payment. If the expenditure be for both services and disbursements, the voucher shall set forth the services rendered and an itemized statement of the disbursements made. If the expenditure be in connection with any matter pending before any legislative or public body, or before any department or officer of any state or government, the voucher shall correctly describe, in addition, the nature of the matter and of the interest of such company therein. When such voucher cannot be obtained the expenditure shall be evidenced by an affidavit describing the character and object of the expenditure and stating the reason for not obtaining such voucher.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 180.]

AN ACT relating to the provisions of life insurance policies.

The People of the State of Michigan enact:

SECTION 1. Every policy of insurance issued or delivered within this State on or after the first day of January, nineteen hundred eight, by any life insurance corporation doing business within the State shall contain the entire contract between the parties. And nothing shall be incorporated therein by reference to any constitution, by-laws, rules, application or other writing unless the same are endorsed upon or attached to the policy when issued. Policy to contain entire contract.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Nothing incorporated by reference.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 181.]

AN ACT to amend act number one hundred seventy-one of the public acts of eighteen hundred eighty-nine, entitled "An act to amend chapter one hundred thirty-one of Howell's Annotated Statutes of the State of Michigan, being an act entitled 'An act in relation to life insurance companies transacting business within this State,' as heretofore amended, by adding thereto one new section to be known as section thirty-one and intended to prevent discrimination and deception in insuring lives," being section seven thousand two hundred nineteen of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section thirty-one of act one hundred seventy-one of the public acts of eighteen hundred eighty-nine, entitled "An act in relation to life insurance companies transacting business within this State," the same being section seven thousand two hundred nineteen of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

SEC. 31. No life insurance company doing business in this State shall make or permit any distinction or discrimination in favor of individuals between insurants (the insured) of the same class and equal expectation of life in the amount or payment of premiums or rates charged for Discrimination, certain not permitted.

policies of life or endowment insurance, or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of the contracts it makes; nor shall any such company or agent thereof make any contract of insurance or agreement as to such contract other than as plainly expressed in the policy issued thereon; nor shall any such company, or any officer, agent, solicitor or representative thereof, pay, allow or give, or offer to pay, allow or give, directly or indirectly, as inducement to insurance, any rebate of premium payable on the policy, or any special favor or advantage in the dividends or other benefits to accrue thereon, or any paid employment or contract for services of any kind or any valuable consideration or inducement whatever not specified in the policy contract of insurance; or give, sell or purchase, or offer to give, sell or purchase as inducement to insurance or in connection therewith any stocks, bonds or other securities of any insurance company or other corporation, association or partnership, or any dividends or profits to accrue thereon or anything of value whatsoever not specified in the policy. Any company which shall violate any of the provisions of this section shall forfeit to the State the sum of five hundred dollars for each violation, to be recovered by the Attorney General by appropriate action in any court of competent jurisdiction, and any judgment therefor may be collected in the same manner as is herein provided for collecting judgments rendered in favor of policy holders. And any officer or agent who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by imprisonment in the county jail not exceeding one year, or by a fine of not less than fifty dollars and not exceeding five hundred dollars, or by both such fine and imprisonment in the discretion of the court.

Contract,
other than as
in policy.

Rebate, etc.,
as inducement.

Stocks, bonds,
etc.

Penalty on
company.

Penalty on
officer or
agent.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 182.]

AN ACT regulating life insurance companies and prohibiting the diversion of funds for political purposes.

The People of the State of Michigan enact:

Money or
property not
to be used,
etc.

SECTION 1. No insurance company or association, including fraternal beneficiary associations, doing business in this State shall, directly or indirectly, pay or use or offer, consent or agree to pay or use any money or property for or in aid of any political party, committee or organization, or

for or in aid of any corporation, joint stock or other association organized or maintained for political purposes, or for or in aid of any candidate for political office, or for nomination for such office or for any political purpose whatsoever, or for the reimbursement or indemnification of any person for money or property so used. Any officer, director, stockholder, attorney or agent of any corporation or association which violates any of the provisions of this act, who participates in, aids, abets, or advises or consents to any such violation, and any person who solicits or knowingly receives any money or property in violation of this act, shall be guilty of a misdemeanor and be punished by imprisonment for not more than one year and a fine of not more than one thousand dollars, and any officer aiding or abetting in any contribution made in violation of this act, shall be liable to the company or association for the amount so contributed. No person shall be excused from attending and testifying, or producing any books, papers or other documents before any court or magistrate upon any investigation, proceeding or trial, for a violation of any of the provisions of this act, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate or degrade him; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be used against him upon any criminal investigation or proceeding.

Liability for violation of act.

None excused from attendance or testifying, etc.

Testimony, when not used against person.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealing clause.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 183.]

AN ACT defining the status of persons soliciting life insurance.

The People of the State of Michigan enact:

SECTION 1. Any person who shall solicit an application for insurance upon the life of another shall, in any controversy between the assured or his beneficiary and the company issuing any policy upon such application, be regarded as the agent of the company and not the agent of the assured.

Solicitor, how regarded.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealing clause.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 184.]

AN ACT to amend section eight of act number one hundred thirty-six of the public acts of eighteen hundred sixty-nine, being an act, entitled "An act relative to the organization and powers of fire and marine insurance companies transacting business within this State;" approved April three, eighteen hundred sixty-nine, the same being section seven thousand two hundred thirty-one of the Compiled Laws of eighteen hundred ninety-seven, as amended by act number one hundred fifty-five of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section eight of act number one hundred thirty-six of the public acts of eighteen hundred sixty-nine, being an act, entitled "An act relative to the organization and powers of fire and marine insurance companies transacting business within this State," approved April three, eighteen hundred sixty-nine, the same being section seven thousand two hundred thirty-one of the Compiled Laws of eighteen hundred ninety-seven, as amended by act number one hundred fifty-five of the public acts of nineteen hundred five, is hereby amended to read as follows:

How may in-
vest funds.

SEC. 8. It shall be lawful for any fire insurance company organized under this act or incorporated under any law of this State, to invest its capital and the funds accumulated in the course of its business, or any part thereof:

In bonds or
notes secured.

(a) In bonds or notes secured by mortgage lien upon unincumbered real estate worth at least double the amount loaned;

In U. S. bonds,
etc.
Proviso.

(b) First, In bonds of the United States, or any state or territory of the United States: *Provided*, That such state or territory has not in the ten years preceding the time of such investment repudiated its debt and failed to pay the same, or the interest due thereon, or upon any part of such debt; or,

City, township,
and school
bonds, etc.

Second, In the public debt or bonds of any city, county, township, village or school district of any state or territory in the United States, which shall have been authorized by the legislature of such state or territory: *Provided*, That such state or municipality has not, in the ten years preceding the time of such investment, repudiated its debt and failed to pay the same or the interest due thereon, or upon

Further pro-
viso, net in-
debtedness.

any part of such debt: And *Provided further*, That the net indebtedness of said city, county, township, village or school district shall not exceed five per cent of the assessed valuation of all the real estate of said city, county, township, village or school district, said valuation to be on the basis of the last preceding equalization of the State board for coun-

ties, and the proportionate amount thereof. The term net indebtedness in this section shall be construed to denote the indebtedness of any city, county, township, village or school district, omitting debt created for supplying the inhabitants with water and deducting the amount of sinking funds available for the payment of such indebtedness; Term defined.

Third, In the legally authorized first mortgage bonds of any steam railroad corporation organized under the laws of any state of the United States: *Provided*, That such company has for five years prior to the time of making such investment by said insurance company, paid annually dividends equal to not less than four per cent on its entire capital stock and has not during said period defaulted in the payment of the matured principal or interest of any debts incurred by it and secured by mortgage or trust deed upon its property or any part thereof, or in the payment of any part of the matured principal or interest of any bonds guaranteed or assumed by it; or, First mortgage railroad bonds.
Proviso, dividends.

Fourth, In the first mortgage bonds of railroad companies whose lines are leased or operated or controlled by any railroad company specified in paragraph three, subdivision b of this section, if said bonds be guaranteed both as to principal and interest by the railroad company to which said lines are leased or by which they are operated or controlled; First mortgage bonds, of leased lines.

Fifth, In the legally authorized mortgage bonds of any steam railroad incorporated under the laws of any state of the United States, which shall have been issued for the purpose of retiring all prior mortgage indebtedness on so much of the property of such company as is covered by the mortgage securing such issue of bonds, and further providing for additions, extensions or improvements: *Provided*, That such company has for three years prior to the time of making such investment by said insurance company, paid annually dividends equal to not less than four per cent on its entire capital stock, which capital stock shall equal or exceed in amount one-third of the par value of all its bonded indebtedness, and has not during the same period defaulted in the payment of the matured principal or interest of any debts incurred by it and secured by mortgage or trust deed upon its property or any part thereof, or in the payment of any part of the matured principal or interest upon a bond guaranteed or assumed by it: *Provided further*, Said issues of bonds shall have been approved by the securities commission hereinafter referred to; Mortgage re-funding bonds of steam railroads.
Proviso, dividends.
Further proviso, approval of issue.

Sixth, In the legally authorized first mortgage bonds of any electric railroad, street railway, gas or electric light or power company, organized under the laws of the State of Michigan: *Provided*, That such company has for five years prior to the time of making such investment by said insurance company, paid annually dividends equal to not less than four per cent on its entire capital stock, and has not during the same period defaulted in the payment of the First mortgage bonds of electric railroad, etc.
Proviso, dividends.

matured principal or interest of any debts incurred by it and secured by mortgage or trust deed upon its property or any part thereof, or in the payment of any part of the matured principal or interest of any bonds guaranteed or assumed by it; or in the first mortgage bonds of any such company which has been in operation less than five years: *Provided further*, That the cost of construction and equipment of the plant of such company shall exceed by at least fifty per cent the amount of the entire bonded indebtedness of such company, and the said plant and equipment shall be free from all other liens and encumbrances, and the said company shall have earned during the period it has been in operation, more than enough to pay all interest accrued on all said bonds and not less than four per cent per annum dividends upon its entire capital stock outstanding: *Provided further*, Said issues of bonds shall have been approved by the securities commission hereinafter referred to;

Further proviso.

Further proviso, approval of issue.

First mortgage bonds, steamship companies. Proviso.

Seventh, In the legally authorized first mortgage bonds of steamship companies: *Provided*, That such mortgages shall be upon steel steamship or steamships for the carriage of freight or package freight and passengers combined, upon the Great Lakes and connecting waters, of at least five thousand tons carrying capacity each: *Provided further*, Such bonds are issued at the time of the completion and enrollment of such steamship or steamships, or within one year thereafter: *Provided further*, That by the express terms of said mortgage at least ten per cent of the total issue of said bonds shall be retired annually, beginning within two years from the date of said bonds, and that the mortgage liability against said property shall not exceed one-half of its actual cost: *Provided further*, That the trustee of such mortgage shall be required to protect the lien of said mortgage by attending to the recording thereof and by causing property covered by said mortgage to be insured against all risks on vessel property ordinarily covered by such insurance, including marine risks and disasters, general and particular average, collision liability, protection and indemnity insurance and insurance against liability for injuries to persons, in insurance companies and under forms of policies approved by the trustee, for an amount equal to the full insurable value of such steamship, such insurance to be made with loss payable to said trustee and policies deposited with it: *Provided further*, That by the terms of such mortgage, the mortgagor shall not suffer such steamship to become indebted in an amount exceeding five per cent of the original amount of the principal of said mortgage at any time, and that the failure of the mortgagor to forthwith procure the release of such steamship or steamships from mechanics', laborers', admiralty, statutory or other liens, claims or charges against such steamship shall constitute a default in the provisions of such mortgage: *Provided further*, That such bonds shall

Further proviso.

Further proviso.

Further proviso.

have been approved by the securities commission hereinafter referred to;

Eighth, Said insurance companies may loan the same upon negotiable paper, or other evidences of indebtedness, secured by any of the above mentioned classes of security; or, Negotiable paper.

Ninth, Upon negotiable notes secured by pledge of stock of National or State banks which have a surplus of twenty-five per cent more than the capital: *Provided*, That such loan shall not exceed eighty-five per cent of the market value of the stock; and to change and reinvest the same from time to time as occasion may require: *Provided further*, That the total amount loaned on bank security collateral shall not exceed fifteen per cent of the capital and surplus of the insurance company; Negotiable notes of banks.
Proviso.
Further proviso.

Tenth, The securities commission referred to in subdivision b, paragraphs five, six and seven, shall be the securities commission created by section sixty-seven, act number two hundred sixty-two of the public acts of nineteen hundred five, being "An act to amend sections twenty-seven and fifty-two of act number two hundred five of the public acts of eighteen hundred eighty-seven, entitled 'An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business,' as amended, being compiler's sections six thousand one hundred sixteen and six thousand one hundred forty-one respectively, of the Compiled Laws of eighteen hundred ninety-seven, as amended by act number two hundred sixty-five of the public acts of eighteen hundred ninety-nine, and by adding a new section thereto to stand as sixty-seven of said act;" approved June sixteen, nineteen hundred five: *Provided*, That not more than one-fourth of the capital and surplus of said insurance company shall be loaned on or invested in the bonds of any one steam railroad, and not more than one-tenth of the capital and surplus shall be loaned on or invested in the bonds of any one railroad corporation described in paragraphs two and three of subdivision b, and not more than one-twentieth of the capital and surplus shall be loaned on or invested in the bonds of any one company or corporation described in paragraphs five, six and seven of subdivision b; and not more than one-tenth of the capital and surplus of the insurance company shall be loaned to any one person, corporation or firm on the collateral pledges allowed by paragraph b of this section. Securities commission, act creating.

Proviso, amount may invest, etc.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 185.]

AN ACT to prohibit misrepresentation by life insurance companies.

The People of the State of Michigan enact:

Certain estimates, circulars, etc., not to be issued.

SECTION 1. No life insurance company doing business in this State, and no officer, director or agent thereof shall issue or circulate, or cause or permit to be issued or circulated, any estimate, illustration, circular or statement of any sort misrepresenting the terms of any policy issued by it or the benefits or advantages promised thereby, or the dividends or shares of surplus to be received thereon, or shall use any name or title of any policy or class of policies misrepresenting the true nature thereof.

Penalty.

SEC. 2. Any officer, director or agent who shall violate the provisions of this act shall be guilty of a misdemeanor, and upon the conviction thereof shall be punished by fine not exceeding one hundred dollars or by imprisonment not exceeding three months, or by both such fine and imprisonment in the discretion of the court.

Repealing clause.

SEC. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 186.]

AN ACT to amend act one hundred nineteen of the public acts of eighteen hundred ninety-three, entitled "An act to define what shall constitute fraternal beneficiary societies, orders, or associations, to provide for the incorporation and the regulation of their business and for the punishment for violation of the provisions of the act of their incorporation and to repeal all existing acts inconsistent therewith," by adding four new sections to be known as sections twenty-three, twenty-four, twenty-five and twenty-six.

The People of the State of Michigan enact:

Sections added.

SECTION 1. Act one hundred nineteen of the public acts of eighteen hundred ninety-three, entitled "An act to define what shall constitute fraternal beneficiary societies, orders or associations, to provide for the incorporation and the regulation of their business and for the punishment for violation of the provisions of the act of their incorporation and

to repeal all existing acts inconsistent therewith," is hereby amended by adding four new sections to be known as sections twenty-three, twenty-four, twenty-five and twenty-six.

SEC. 23. No society organized under the laws of this State shall consolidate with any other society, or reinsure its risks or any part thereof with any other society, or assume or reinsure the whole of or any portion of the risks of any other society, except as hereinafter provided.

Not to consolidate or reinsure except as provided.

SEC. 24. When any such society shall propose to consolidate with any other society, or enter into any contract of reinsurance, it shall present its petition to the Commissioner of Insurance of this State, setting forth the terms and conditions of such proposed consolidation or reinsurance, and praying for the approval or of any modification thereof, which the commission hereinafter provided for may approve. The Commissioner of Insurance shall thereupon issue an order of notice, requiring notice to be given by mail to the members of such society, of the pendency of such petition, and the time and place at which the same will be heard, and the publication of said order of notice and said petition, in five daily newspapers designated by the Commissioner of Insurance, at least one of which shall be published in the city of Lansing for at least two weeks before the time appointed for the holding of such hearing.

Petition to consolidate.

To issue order of notice.

Publication of notice and petition.

SEC. 25. The Governor of the State or in event of his inability to act, some competent person resident of the State to be appointed by him, the Attorney General of the State, and the Commissioner of Insurance of the State shall constitute a commission to hear and determine upon said petition. At the time and place fixed in said notice, or such time and place as shall be fixed by adjournment, said commission shall proceed with said hearing, and may make such examination into the affairs and conditions of said society as it may deem proper. The Commissioner of Insurance of this State shall have the power to summon and compel the attendance and testimony of witnesses and the production of books and papers before said commission. Any policy holder or member of the above named society or societies may appear before said commission and be heard in reference to said petition. Said commission, if satisfied that the interests of the policy holders and members of such society or societies are properly protected and that no reasonable objection exists thereto, may approve and authorize the proposed consolidation or reinsurance, or of such modification thereof as may seem to it best for the interests of the members and policy holders, and said commission may make such order with reference to the distribution and disposition of the surplus assets of any such society thereafter remaining, as shall be just and equitable. Such consolidation or reinsurance shall only be approved by the consent of all the members of said commission, and it shall be the duty of said commission to guard the interests of the policy holders and

Commission, membership of.

Hearing, when held.

Attendance and testimony of witnesses.

When commission may authorize consolidation, etc.

Approved by consent of all members.

Costs, how paid.

members of any such society or societies proposing to consolidate or reinsure. All expenses and costs incident to proceedings under this section shall be paid by the society or societies bringing said petition.

Penalty.

SEC. 26. Any officer or member of any such society or societies violating or consenting to the violation of sections twenty-three, twenty-four and twenty-five, or any of them, shall be punished by fine of not less than five hundred dollars and by imprisonment in the county jail for not less than one year.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 187.]

AN ACT establishing standard provisions and conditions to be contained in policies of life insurance issued by companies licensed to do business in this State.

The People of the State of Michigan enact:

Provisions of policies.

SECTION 1. No policy of life insurance shall be issued in this State, unless the same shall contain the following provisions:

Premiums in advance.

First, A provision that all premiums shall be payable in advance, either at the home office of the company or to an agent of the company, upon delivery of a receipt signed by one or more of the officers who shall be named in the policy;

Days of grace.

Second, A provision for a grace of one month for the payment of every premium after the first year, which may be subject to an interest charge, during which month the insurance shall continue in force, which provision may contain a stipulation that if the insured shall die during the month of grace the overdue premium will be deducted in any settlement under the policy;

Policy incontestable, etc.

Third, A provision that the policy shall constitute the entire contract between the parties and shall be incontestable after two years from its date, except for non-payment of premium and except for violations of the conditions of the policy relating to naval and military services in time of war;

Statements by insured.

Fourth, A provision that all statements made by the insured, shall, in the absence of fraud, be deemed representations and not warranties, and that no such statement shall avoid the policy unless it is contained in a written application and a copy of such application shall be endorsed upon or attached to the policy when issued;

Fifth, A provision that if the age of the insured has been understated, the amount payable under the policy shall be such as the premium would have purchased at the correct age; Under statement of age.

Sixth, A provision that the policy shall participate in the surplus of the company, and that, beginning not later than the end of the fifth policy year, the company will determine and account for the portion of the divisible surplus accruing on the policy, and that the owner of the policy shall have the right to have the current dividend arising from such participation paid in cash, and that at periods of not more than five years such accounting and payment at the option of the policy holder shall be had. This provision shall not be required in non-participating policies; Disposition of surplus.

Seventh, A provision that after three full year premiums have been paid, the company at any time, while the policy is in force, will advance, on proper assignment of the policy and on the sole security thereof, at a specified rate of interest, a sum equal to, or at the option of the owner of the policy, less than the reserve at the end of the current policy year on the policy and on any dividend additions thereto, specifying the mortality table and rate of interest adopted for computing such reserve, less a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto; and that the company will deduct from such loan value any existing indebtedness on the policy and any unpaid balance of the premium for the current policy year, and may collect interest in advance on the loan to the end of the current policy year; which provision may further provide that such loan may be deferred for not exceeding six months after the application therefor is made. It shall be further stipulated in the policy that failure to pay any such advance or to pay interest shall not void the policy unless the total indebtedness thereon to the company shall equal or exceed such loan value at the time of such failure nor until one month after notice shall have been mailed by the company to the last known address of the insured and of the assignee if any. No condition other than as herein provided shall be exacted as a prerequisite to any such advance. This provision shall not be required in term insurances; Loan values.

Eighth, A provision which, in event of default in premium payments, after premiums shall have been paid for three years, shall secure to the owner of the policy a stipulated form of insurance, the net value of which shall be at least equal to the reserve at the date of default on the policy and on any dividend additions thereto, specifying the mortality table and rate of interest adopted for computing such reserves, less a sum not more than two and one-half per centum of the amount insured by the policy and of any existing dividend additions thereto, and less any existing indebtedness to the company on the policy. Such provision When failure to pay loan or interest not to void policy.

Provisions in event of default in premium payments.

shall stipulate that the policy may be surrendered to the company at its home office within one month from date of default for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid and may stipulate that the company may defer payment for not more than six months after the application therefor is made. This provision shall not be required in term insurances of twenty years or less;

Table of
loan values
and options.

Ninth, A table showing in figures the loan values, and the options available under the policies each year upon default in premium payments, during at least the first twenty years of the policy, beginning with the year in which such values and options become available;

Reinstatement of
policy.

Tenth, A provision that if, in event of default in premium payments, the value of the policy shall be applied to the purchase of other insurance, and if such insurance shall be in force and the original policy shall not have been surrendered to the company and canceled, the policy may be reinstated within three years from such default, upon evidence of insurability satisfactory to the company and payment of arrears of premiums with interest;

Date of
settlement.

Eleventh, A provision that when a policy shall become a claim by the death of the insured, settlement shall be made upon receipt of due proof of death, or not later than two months after receipt of such proof;

Table of
Installments.
Title.

Twelfth, A table showing the amounts of installments in which the policy may provide its proceeds may be payable;

Thirteenth, A title on the face and on the back of the policy correctly describing the same.

Any of the foregoing provisions or portion thereof relating to premiums not applicable to single premium policies, shall to that extent not be incorporated therein.

Provisions
prohibited.

SEC. 2. No policy of life insurance shall be issued or delivered in this State if it contain any of the following provisions:

Relative
to policy
loans.

First, A provision for the forfeiture of the policy for failure to repay any loan on the policy or to pay interest on such loan while the total indebtedness on the policy is less than the loan value thereof; or any provision for forfeiture for failure to repay any such loan or to pay interest thereon, unless such provision contain a stipulation that no such forfeiture shall occur until at least one month after notice shall have been mailed by the company to the last known address of the insured and of the assignee, if any; or a provision contemplating any proposed benefit not essentially a part of the insurance contract or any connection of the assured with the company other than that of policy holder;

Benefits, not
a part of
of contract.

Limiting
time of
actions at law,
etc.

Second, A provision limiting the time within which any action at law or in equity may be commenced to less than six years after the cause of action shall accrue;

Third, A provision by which the policy shall purport to be issued or to take effect before the original application for insurance was made, if thereby the insured would rate at an age younger than his age at date when the application was made, according to his age at last birthday; To take effect before application is made.

Fourth, A provision for any mode of settlement at maturity of less value than the amount insured by the policy plus dividend additions, if any, less any indebtedness to the company on the policy and less any premium that may by the terms of the policy be deducted, payments to be made in accordance with the terms of the policy. This prohibition shall not apply to sub-standard policies. Settlement at maturity.

SEC. 3. Policies may be issued in this State providing for not more than one year preliminary term insurance by the incorporation therein of a clause on the face of the policy distinctly specifying that the first year's insurance is term insurance. If the premium charged for term insurance under a limited payment life or endowment preliminary term policy providing for the payment of all premiums thereon in less than twenty years from the date of the policy, exceeds that charged for life insurance under twenty pay life preliminary term policies of the same company at the same age, the reserve thereon at the end of any year, including the first, shall not be less than the reserve on a twenty pay life preliminary term policy issued in the same year and at the same age, together with an amount which shall be equivalent to the accumulation of a net level premium sufficient to provide for a pure endowment at the end of the premium payment period equal to the difference between the value at the end of such period for such twenty pay life preliminary term policy and the full reserve at such time of such a limited payment, life or endowment policy: *Provided*, This shall not take effect until January one, nineteen hundred eight. Provisions relative to term insurance.

SEC. 4. No policy of life insurance shall be issued or delivered in this State, until the form of the same has been filed with the Commissioner of Insurance and after the Commissioner of Insurance shall have notified any company of his disapproval of any form it shall be unlawful for such company to issue any policy in the form so disapproved. The Commissioner's action shall be subject to review by any court of competent jurisdiction. Proviso, date of effect.

SEC. 5. The policies of a life insurance company, not organized under the laws of this State, may, if approved by the Commissioner of Insurance of this State, contain any provision which the law of the state, territory, district or country under which the company is organized, prescribed shall be in such policies, when issued in this State, and the policies of a life insurance company organized under the laws of this State may, when issued or delivered in any other state, territory, district or country, contain any provision required by the laws of the state, territory, district or country Policy forms, filing with commissioner.

Policies of foreign companies.

Policies of home companies in other states.

Not to apply
to certain
companies.

"Company"
construed.

in which the same are issued, anything in this act to the contrary notwithstanding.

SEC. 6. This act shall not apply to annuities, industrial policies or to corporations or associations operating on the assessment or fraternal plan.

SEC. 7. Wherever the word company is used in this act, it shall be held to include corporations and associations.

This act is ordered to take effect January one, nineteen hundred eight.

Approved June 18, 1907.

[No. 188.]

AN ACT to create a Commission of Inquiry to make the necessary preliminary investigations, and to prepare and submit a report to the next legislature, setting forth a comprehensive plan for the protection, improvement, utilization, and settlement of, and for the better and more economical administration of the affairs and business of the State connected with the delinquent State tax lands, now owned or hereafter acquired, and other forest, denuded or waste lands of the State, to the end that the State may hereafter pursue a consistent and complete policy in reference thereto, and to appropriate the necessary moneys for the expense to be incurred by said Commission of Inquiry in the performance of its duties.

The People of the State of Michigan enact:

Commission,
membership
of.

Expenses al-
lowed.

Duties of.

SECTION 1. There shall be a temporary Commission of Inquiry, to consist of nine members to be appointed by the Governor from among the citizens of the State having special qualifications and knowledge concerning the matters to be considered. The members of the Commission of Inquiry shall serve without pay, but shall be allowed their necessary actual expenses incurred by them in performing their duties as members of the said Commission of Inquiry.

SEC. 2. It shall be the duty of the Commission of Inquiry to fully investigate the conditions affecting, and the problems involved in, the relation of the State to the delinquent State tax lands, now owned or hereafter to be acquired, and to other forest, denuded or waste lands situated in the State, whether owned by the State or individuals; the subject of forestry and the establishment and setting aside of State tax lands, or portions thereof, for forest reserves; the checking and prevention of fires and the spreading thereof in for-

ests or over the waste lands aforesaid; the conservation and increase of the water supply of the rivers, streams and lakes of the State by reforestation; the protection from trespass and other depredations of timber growing on lands in which the State is interested; the policy best calculated to further and encourage the settling up, improvement, reforestation and other utilization of said delinquent State tax lands, or such portions thereof as are deemed most suitable for one or other of the purposes aforesaid, having due regard to all interests and to all the conditions affecting the problems involved; and the economical administration of the business and affairs of the State, and the due protection and betterment of its inhabitants as affected by any of the matters aforesaid.

SEC. 3. It shall also be the duty of the Commission of Inquiry, after full investigation as aforesaid, to prepare and submit to the next legislature a full report embodying a comprehensive plan for dealing with all of the matters aforesaid, to the end that the State may hereafter pursue a complete and consistent policy in reference thereto. The report of the Commission of Inquiry shall contain or be accompanied by such findings and recommendations as the Commission of Inquiry shall deem advisable, including specific recommendations defining, or prescribing some method of defining, the limits of forest reserves to be established and maintained and the manner in which the delinquent State tax lands, now owned or that shall hereafter be acquired, shall become a part of said forest reserves or be devoted to other purposes, or be otherwise dealt with. The report shall also contain or be accompanied by a draft of such proposed law or laws as, in the judgment of the Commission of Inquiry, will best enable the State to perfect its title to said delinquent State tax lands, protect the timber thereon, provide the most practical means of checking and preventing the starting and spreading of fires thereon, or on other waste or forest lands situated in the State, and such other law or laws as the Commission of Inquiry may deem necessary for the most profitable and economical administration of the business and affairs of the State in reference to the matters which are the subject of this investigation.

SEC. 4. The report of said Commission of Inquiry, including the plan, findings, recommendations and draft of proposed legislation above mentioned, shall be ready for the State printer by the thirty-first day of July, nineteen hundred eight; and it is hereby made the duty of the State Board of Auditors to cause three thousand copies of the said report to be printed and bound, and to have the same ready for distribution not later than the first day of October, nineteen hundred eight; two thousand copies to be used for distribution among the citizens of the State and one thousand copies to be reserved for the use of the members of the legislature.

To prepare report to legislature, what to contain.

Draft of proposed law.

Delinquent State tax lands.
Fires.

Report, when ready for printer, etc.

Distribution.

Duty to study
situation, etc.

Surveys.

Assistance,
books, maps,
etc.

Audit of ex-
pense.

Quarters in
capitol.

First meeting,
president, sec-
retary.

State officers
and employes
to co-operate,
etc.

Attorney Gen-
eral, duty to
assist.

SEC. 5. It shall be the duty of the Commission of Inquiry to make a thorough study of the whole situation; and they shall have power to cause to be made such surveys and examinations as may be deemed necessary of the lands aforesaid, or adjacent regions, and to investigate any natural or other conditions affecting any of the problems bearing upon the matter involved in their investigation. The said Commission of Inquiry shall have power to employ assistance, to purchase books, maps, stationery and other materials, and to travel in the performance of their duties; and their expenses incurred therein and in the performance of their duties, including the publication of the report herein mentioned, shall be audited and allowed by the Board of State Auditors, upon vouchers and bills properly sworn to and duly certified by the secretary or some authorized member of the commission, and also shall be paid from the general fund of the State. The Commission of Inquiry shall have the use of suitable quarters for its meetings and its work in the State capitol. It shall hold its first meeting in the capitol at Lansing on the twenty-fifth day of June, nineteen hundred seven, for the purpose of organization, at which time it shall elect from its members a president and secretary, and shall meet thereafter at such times and places as it may deem necessary.

SEC. 6. It shall be the duty of the Michigan Forestry Commission, of the Commissioner of the State Land Office, of the Auditor General, and of every department, officer or employe of the State having information or charge of books, or others matters, desired for use by the commission, or whose help is needed to aid in its inquiries, to promptly furnish the same and any information or aid asked for by the commission, on request of the secretary or presiding officer or other authorized member of the Commission of Inquiry. It shall be the duty of the Attorney General and of the State officers aforesaid to attend, advise and assist the Commission of Inquiry on request in every way desired in its work.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 189.]

AN ACT to amend section nine of act one hundred ninety of the public acts of eighteen hundred ninety-one, entitled "An act to prescribe the manner of conducting and to prevent fraud and [deception] deceptions at elections in this State," being compiler's section three thousand six hundred twenty of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section nine of act one hundred ninety of the public acts of eighteen hundred ninety-one, entitled "An act to prescribe the manner of conducting and to prevent fraud and [deception] deceptions at elections in this State," being compiler's section three thousand six hundred twenty of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

SEC. 9. In each county of the State, the judge of probate, county clerk and county treasurer shall constitute a board of election commissioners, two of whom shall constitute a quorum and of which board the judge of probate shall be chairman and the county clerk shall be secretary: *Provided*, That in the counties of Kent, Ottawa and Wayne, the board of county canvassers, together with the county clerk, who shall not be entitled to vote on said board, shall constitute a board of election commissioners, two of whom shall constitute a quorum. In the counties last above specifically mentioned, the chairman of said board of county canvassers shall be chairman of the board of election commissioners, and the county clerk shall act as clerk of said board, but in the event of his unavoidable absence the board may select one of his deputies to act in his stead, and in case of a vacancy in said board of county canvassers, acting as a board of election commissioners, the members of the board who are present may fill said vacancy. When the said board of election commissioners is made up of the board of county canvassers the members of said board shall receive the same compensation as they are entitled to by law for their services when acting as a board of county canvassers. It shall be the duty of said board to prepare a sufficient number of ballots, at least two to each elector, according to the vote at the last preceding general election, for election of all officers for whom the electors are entitled to vote, and for all proposed constitutional amendments or other questions to be submitted to the electors for popular vote in compliance with the provisions of law. Board of election commissioners for each county.

Provido, in certain counties, how constituted.

Chairman and clerk.

In case of vacancy.

Compensation.

Ballots, preparation of.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 190.]

AN ACT to provide for the lawful taking of cisco fish in the waters of Corey Lake, in St. Joseph county.

The People of the State of Michigan enact:

When lawful
to take ciscos.

Proviso.

Further pro-
viso, size of
mesh.

Not to be sold,
etc.

SECTION 1. It shall be lawful for any person, during the time from sunset to sunrise during the month of November, to take cisco fish in the waters of Corey Lake, in St. Joseph county, by means of legal mesh nets not more than ten rods in length: *Provided*, That the taking of such cisco fish shall in no way interfere with or destroy other fish protected under the laws of this State: And *Provided further*, That the meshes in said nets authorized to be used under the provisions of this act shall, in no case, be less than one and one-half inches.

SEC. 2. Any cisco fish taken lawfully in Corey Lake between the dates herein provided, may be retained by the person or persons so taking them, but shall not be sold or offered for sale.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 191.]

AN ACT to prohibit the taking, killing or destroying of any fox squirrel, gray squirrel or black squirrel within the village of Paw Paw and within certain portions of Paw Paw and Antwerp townships, Van Buren county.

The People of the State of Michigan enact:

Squirrels, un-
lawful to take
or kill, etc.

Penalty.

SECTION 1. It shall hereafter be unlawful at any time by any means whatever to take, kill or destroy any fox squirrel, gray squirrel or black squirrel within the limits of the village of Paw Paw or on sections one, two, eleven and twelve in the township of Paw Paw or on sections six and seven in the township of Antwerp in the county of Van Buren.

SEC. 2. Any person who shall violate the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than five dollars nor more than twenty-five dollars or imprisonment in the county jail of said county for not less than five days nor more than thirty days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved June 18, 1907.

[No. 192.]

AN ACT to authorize the trustees of the Michigan School for the Deaf to sell certain lands belonging to said school and buy other lands, and to hold the money received from the sale until it can be advantageously used for said purchases.

The People of the State of Michigan enact:

SECTION 1. The board of trustees of the Michigan School for the Deaf is hereby authorized to sell certain tracts of land now owned by the said school, described as follows: Be-
 ginning at a point in the south line of reservation lot eight of Smith's reservation, being eleven chains and fifty links westerly along said line from the northeast corner of section twenty-four of town seven north of range six east; thence southerly parallel to east line of said section twenty-five, fifteen chains; thence westerly at right angles, two chains and sixty-four links; thence southerly parallel to said east line twenty-six chains, eighty-eight links to post in north line of Gates land; thence westerly along Gates' north line nine chains, seventy-two links to a post; thence northerly on a course parallel to the east line of section twenty-four, thirty-four chains, twenty-three links to the south line of said reservation lot eight to a post; thence easterly along said reservation line fourteen chains and fifty-five links to the place of beginning, except, however, a strip of land one hundred feet in width running easterly and westerly across said land, heretofore deeded to the Grand Trunk Railway system as a right of way for railroad purposes. Also, a tract described as beginning at a point where the west line of section eight of Smith's reservation intersects the south line of West Court street, and running thence south eighty-nine degrees, east one thousand three hundred forty-five feet, along the south line of said West Court street to the intersection of said south line of West Court street with the northerly line of the Miller road, thence running along the north line of the Miller road as follows, to wit: South forty-eight degrees, ten minutes west, one hundred sixty feet; thence south, thirty-one degrees, thirty minutes west, two hundred thirty-five feet; thence south twenty-one degrees west, two hundred sixty-eight feet and six inches; thence south thirty-one degrees west, one hundred ninety-two feet; thence south forty-four degrees twenty minutes west, ninety-six feet; thence south fifty degrees west, eighty-five feet; thence south fifty-eight degrees west, four hundred thirteen feet to the section line; thence leaving said north line of the Miller road and running north twenty-one degrees, forty-five minutes west, one thousand one hundred fifty-seven feet six inches, along the aforesaid west line of section eight of

Board to
give warranty
deed.

Smith's reservation, to the place of beginning; all being and situate on section eight of Smith's reservation in the fourth ward of the city of Flint, county of Genesee and State of Michigan, said parcel of land containing eighteen and thirty-eight hundredths acres; said board of trustees being authorized to sell said lands either as a whole, or subdivided into smaller tracts whichever, in the judgment of said board, may be most advantageous, and to give warranty deed or deeds for said tract or tracts.

Disposition of
money.

SEC. 2. The said board of trustees is hereby authorized to hold the money received from said sale or sales, in a fund apart from the other moneys belonging to said school, until such time as in its judgment the money can be wisely expended for the purchase of other land, and said board is then authorized to make such purchase.

Money used
for purchase
of land.

SEC. 3. The money received from the sale of said land cannot be used for any other purpose than the purchase of other land or for making improvements to or on the land so purchased.

Approved June 19, 1907.

[No. 193.]

AN ACT to amend section eight of act number one hundred seventy-four of the session laws of eighteen hundred seventy-one, entitled "An act to provide for the appointment of a State Reporter," as amended, being compiler's section two hundred thirty of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section eight of act number one hundred seventy-four of the session laws of eighteen hundred seventy-one, entitled "An act to provide for the appointment of a State Reporter," as amended, being compiler's section two hundred thirty of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Salary.

SEC. 8. The State Reporter shall receive an annual salary of two thousand dollars and his actual and necessary expenses for clerk hire, to be fixed by the supreme court from time to time as the needs of his office demand; which salary and expenses for clerk hire shall be paid monthly, upon a warrant of the Auditor General upon the State Treasurer, approved by the chief justice of the supreme court, and shall be paid out of the general fund. Whenever any State Reporter shall be removed from office or shall resign, his successor in office shall have the right of possession of all books

Right of
possession
of books.

and papers in the hands of such reporter, by virtue of his office, at the date of such removal, or at the time such resignation shall take effect.

Approved June 19, 1907.

[No. 194.]

AN ACT to permit the catching or taking of herring and other rough fish in the waters of Lake Michigan bordering on the counties of Delta, Schoolcraft and Mackinac, from the twentieth day of November to the fifteenth day of December in each year, and to repeal all acts or parts of acts inconsistent herewith.

The People of the State of Michigan enact:

SECTION 1. It shall be lawful for any person, from the twentieth day of November to the fifteenth day of December in any year to take or catch herring and other rough fish in the waters of Lake Michigan bordering on the county of Delta, from Point Detour northeasterly to the east line of said county, the county of Schoolcraft and the county of Mackinac from the west line thereof southeasterly to the western entrance of the Straits of Mackinaw. It shall be lawful to use for such purpose nets of a mesh not less than is prescribed by the general laws of this State: *Provided, however,* That nothing herein contained shall be construed to permit any person to take or catch herring and rough fish under authority of this act at a greater distance than three miles from the shore.

Herring, when may be taken in certain waters.

Size of mesh.

Proviso, three miles from shore.

SEC. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

Repealing clause.

This act is ordered to take immediate effect.

Approved June 19, 1907.

[No. 195.]

AN ACT to prohibit the unlawful use or wearing of the badge or emblem of the Independent Order of Odd Fellows in this State, and to provide a penalty therefor.

The People of the State of Michigan enact:

Badge, etc., of
I. O. O. F.,
penalty for
unlawful
wearing.

SECTION 1. Any person who shall wilfully wear the badge or emblems of the Independent Order of Odd Fellows, or who shall use or wear the same to obtain aid or assistance thereby, within this State, unless he shall be entitled to use or wear the same under the laws of the said order, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for a term not to exceed thirty days in the county jail, or a fine not to exceed twenty-five dollars, or by both such fine and imprisonment, in the discretion of the court.

Approved June 19, 1907.

[No. 196.]

AN ACT to amend section two of act number two hundred thirty-two of the session laws of eighteen hundred seventy-five, entitled "An act to amend sections two, three and four of an act relative to plank road companies," approved February twelve, eighteen hundred fifty-five, being sections two thousand six hundred fourteen, two thousand six hundred fifteen and two thousand six hundred sixteen of the Compiled Laws of eighteen hundred seventy-one," the same being section six thousand six hundred twenty-five of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section two of said act number two hundred thirty-two of the session laws of eighteen hundred seventy-five, entitled "An act to amend sections two, three and four of an act relative to plank road companies," approved February twelve, eighteen hundred fifty-five, being sections two thousand six hundred fourteen, two thousand six hundred fifteen and two thousand six hundred sixteen of the Compiled Laws of eighteen hundred seventy-one, the same being section six thousand six hundred twenty-five of the Compiled Laws of eighteen hundred ninety-seven, is amended to read as follows:

SEC. 2. Every plank road company and the owners of any such plank road company, by purchase or otherwise, shall cause to be laid down and kept closely together and in an even manner so that the surface shall be uniform, the plank upon its road; or, if said company or the owners shall have built any portion of their road or may build any portion of the same of gravel or stone so broken as to serve the purpose of gravel, they shall cause the said gravel or broken stone of the proper quality and quantity to be placed upon the road and kept in a uniform manner, of the width and depth required by law; and, in case of default, they shall forfeit the right to receive any toll upon said road. And the prosecuting attorney of the county, on complaint of the highway commissioner of any township in which any portion of the road defectively constructed or out of repair lies, may institute a suit in the circuit court for the same county, in chancery, to have such default judicially ascertained and declared; but, if such prosecuting attorney is interested in said suit or in said plank road company, or shall refuse or neglect to commence said suit, then the highway commissioner of such township, by consent of the township board of such township, may employ an attorney, at the expense of such township, to commence said suit, and the same may be prosecuted in the same manner as if it had been commenced by said prosecuting attorney. The said circuit court, in chancery, for the respective counties, shall have full jurisdiction of all cases arising under this act to hear, try and determine the same upon bill or petition filed according to the usual course and practice of these courts, and may grant injunctions in all such cases restraining the company or the persons owning or operating said road from collecting toll from persons who travel over the same, and may fully determine said cause.

Plank roads,
etc., how kept
in repair.

Default,
works
forfeiture of
toll.

Prosecutions.

Circuit court
in chancery,
jurisdiction,
etc.

Approved June 19, 1907.

[No. 197.]

AN ACT to amend section thirteen of an act entitled "An act to provide for the assessment of money taxes for highway purposes and to repeal chapter two, 'Assessments for highway purposes,' and chapter three, 'The performance of labor on highways and the commutation therefor,' of act number two hundred forty-three of the public acts of eighteen hundred eighty-one, as amended, being compiler's sections number four thousand seventy-two to four thousand one hundred three inclusive of the Compiled Laws of eighteen hundred ninety-seven, and all acts and parts of acts inconsistent with the provisions hereof," approved May twenty-two, nineteen hundred seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section thirteen of an act entitled "An act to provide for the assessment of money taxes for highway purposes and to repeal chapter two, 'Assessments for highway purposes,' and chapter three, 'The performance of labor on highways and the commutation therefor,' of act number two hundred forty-three of the public acts of eighteen hundred eighty-one, as amended, being compiler's sections number four thousand seventy-two to four thousand one hundred three inclusive of the Compiled Laws of eighteen hundred ninety-seven, and all acts and parts of acts inconsistent with the provisions hereof," approved May twenty-two, nineteen hundred seven, is hereby amended to read as follows:

Road
districts,
each surveyed
township to be.

Overseer,
when elected.

Duties, etc.

Vacancy,
highway
commissioner.

SEC. 13. There shall be but one road district in each organized township, except that in townships consisting of more than one surveyed township each surveyed township may be a road district; and at each annual township meeting on the first Monday in April after the passage of this act and at each annual township meeting thereafter, there shall be elected in each organized township one overseer of highways for each road district, who shall be elected in the same manner as highway commissioners and other township officers are elected and who shall work under the direction of the township highway commissioner. Emergency repairs to an amount not exceeding ten dollars may be made by such overseer without consulting with the highway commissioner, and if the highway commissioner be unable to take charge of the work on highways and bridges because of sickness, absence or any other reason, the overseer of highways shall have charge and supervision of all work, and in such case warrants drawn by him and countersigned by the township clerk shall be paid by the township treasurer. In case of a vacancy in the office of township highway commissioner through death, resignation or otherwise, the overseer of highways residing in the same surveyed township as the former

highway commissioner resided shall act in the place and stead of the highway commissioner, until a new highway commissioner shall be appointed or elected, and shall have all the powers and duties of such township highway commissioner.

Approved June 19, 1907.

[No. 198.]

AN ACT to repeal act number thirty-four of the public acts of eighteen hundred eighty-five, entitled "An act to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same," approved April two, eighteen hundred eighty-five.

The People of the State of Michigan enact:

SECTION 1. Act number thirty-four of the public acts of eighteen hundred eighty-five, entitled "An act to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same," approved April two, eighteen hundred eighty-five, is hereby repealed. Act repealed.

This act is ordered to effect April thirteen, nineteen hundred eight.

Approved June 19, 1907.

[No. 199.]

AN ACT to provide for the making of deposits and for the payment of taxes and fees to the Commissioner of Insurance by insurance corporations and others, and for the disbursement thereof.

The People of the State of Michigan enact:

SECTION 1. Whenever, by the existing or future laws of any state, an insurance corporation of this State or agent thereof is required to make any deposit of securities in such other state for the protection of policy holders or otherwise, or to make payment for taxes, fines, penalties, certificates of authority, valuation of policies, license fees, or otherwise, greater than is required by the laws of this State for similar corporations of such state, the insurance companies of such Deposits, fees, taxes, etc., by corporations of other states.

Rate of tax, how computed.	states shall be and they are hereby required as a condition precedent to their transacting business in this State, to make a like deposit for like purposes with the State Treasurer of this State, and to pay to the Commissioner of Insurance for taxes, fines, penalties, certificates of authority, valuation of policies, license fees and otherwise a rate equal to such charges and payments imposed by the laws of such other state upon similar corporations of this State and the agents thereof. In the case of fire department or salvage corps taxes or other local taxes the rate shall be computed by the Commissioner of Insurance by dividing the total of such payments made by insurance corporations of this State in such state by the gross premiums received by such corporations in such state less return premiums. Any corporation refusing for thirty days to make payment of such fees or taxes as above required shall have its certificate of authority revoked by the Commissioner of Insurance: <i>Provided</i> , That corporations organized under the laws of any state or country other than these United States shall, as to the provisions of this act, be considered corporations of that state wherein their general deposit for the benefit of their policy holders is made.
Revocation of certificate.	
Proviso, as to foreign corporations.	
Charge for making copies.	SEC. 2. For making copies of any papers in his office, the Commissioner of Insurance shall charge at the rate of twenty cents per folio per hundred, and for attaching his certificate thereto twenty-five cents.
Disposition of fees.	SEC. 3. The fees collected under sections one and two of this act shall be turned over by the Commissioner of Insurance to the State Treasurer and placed in a fund from which shall be paid the necessary traveling expenses of the employes of the insurance department as allowed by the State Board of Auditors, and the salaries of the Deputy Commissioner of Insurance, actuary and one examiner. Said salaries shall be fixed by the Commissioner of Insurance, for the Deputy Commissioner of Insurance in a sum not greater than that paid to the Deputy Commissioner of Banking, and to the actuary and examiner not greater than that paid to the State bank examiners: <i>Provided</i> , That any balance remaining in said fund at the close of business December thirty-first of each year shall be transferred by the State Treasurer to the general fund of this State.
Salaries of certain employes.	
Proviso, as to balance on hand.	
Act repealed.	SEC. 4. Act number seventy-nine of the public acts of eighteen hundred ninety-nine as amended by act number sixty-five of the public acts of nineteen hundred one and all other acts inconsistent herewith are hereby repealed. This act is ordered to take immediate effect. Approved June 19, 1907.

[No. 200.]

AN ACT to provide for the lawful taking of cisco fish in the waters of certain lakes in Cass county.

The People of the State of Michigan enact:

SECTION 1. It shall be lawful for any person, during the time from sunset to sunrise during the month of November in each year, to take cisco fish in the waters of all the lakes situate in the townships of Newberg, Porter and Marcellus in Cass county, by means of legal mesh nets, not more than ten rods in length: *Provided*, That the taking of such cisco fish shall in no way interfere with or destroy other fish, protected under the laws of the State: And *Provided further*, That the meshes in said nets authorized to be used under the provisions of this act shall, in no case, be less than one and one-half inches.

Ciscos, open season for, in certain waters.

Proviso.

Further proviso, size of mesh.

SEC. 2. Any cisco fish lawfully taken in any of the lakes in said townships within said month of November in any year, may be retained by the person or persons so taking them, but shall not be sold or offered for sale.

Not to be sold.

SEC. 3. Any person who shall be found violating any of the provisions of this act shall, upon conviction, be punished by a fine of not more than fifty dollars or by imprisonment in the county jail not more than thirty days, or by both such fine and imprisonment, in the discretion of the court.

Penalty.

This act is ordered to take immediate effect.

Approved June 19, 1907.

[No. 201.]

AN ACT to provide a probate register for Ingham county, and to fix his compensation.

The People of the State of Michigan enact:

SECTION 1. The judge of probate of Ingham county shall have power to appoint a probate register for said county, who shall receive an annual salary of eight hundred dollars, to be paid monthly out of any money in the county treasury of said county not otherwise appropriated. Said register shall have power to receive all petitions and fix the time for all hearings and do all other acts required of the judge of probate, except judicial acts. The said probate register shall hold office during the term for which the judge of probate appointing him shall have been elected, unless sooner removed by said judge of probate.

Probate register, appointment, salary, powers, etc.

This act is ordered to take immediate effect.

Approved June 19, 1907.

[No. 202.]

AN ACT to amend section eight of act number one hundred sixteen of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the maintenance, management and control of the Michigan School for the Deaf, and to repeal all laws inconsistent herewith," approved May twenty-six, eighteen hundred ninety-three, being compiler's section one thousand nine hundred ninety-seven of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section eight of act number one hundred sixteen of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the maintenance, management and control of the Michigan School for the Deaf, and to repeal all laws inconsistent herewith," approved May twenty-six, eighteen hundred ninety-three, being compiler's section one thousand nine hundred ninety-seven of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Superintend-
ent, appoint-
ment of, qual-
ifications,
term of office.

SEC. 8. The board of trustees shall appoint a superintendent for said institution, who shall be a man of experience and knowledge in the teaching of deaf children, who shall hold office during the pleasure of the board, and who shall nominate for their action all necessary subordinate officers.

This act is ordered to take immediate effect.

Approved June 22, 1907.

[No. 203.]

AN ACT to amend section sixteen of chapter forty-three of the revised statutes of eighteen hundred forty-six, entitled "Of the observance of the first day of the week, and the prevention and punishment of immorality," being section five thousand nine hundred thirty-six of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:-

Section
amended.

SECTION 1. Section sixteen of chapter forty-three of the revised statutes of eighteen hundred forty-six, entitled "Of the observance of the first day of the week, and the prevention and punishment of immorality," being section five thousand nine hundred thirty-six of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

SEC. 16. If any person shall keep, or knowingly suffer to be kept, in any building, yard, garden or dependency thereof, or in any field by him owned or occupied, any ninepin alley, or any alley to be used in the playing of ninepins, or any like game, whether to be played with one or more balls or with nine or any other number of pins, for the purpose of gaming or betting upon such game, or shall suffer any person to resort to the same for the purpose of gaming or betting, he shall be deemed guilty of a misdemeanor and upon conviction thereof be punished by a fine not less than ten dollars nor more than fifty dollars, or imprisonment in the county jail not exceeding sixty days, or both in the discretion of the court.

Unlawful to keep pin, etc., alleys for betting.

Penalty.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 204.]

AN ACT making appropriations for the Michigan Soldiers' Home for special purposes and for current expenses for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax therefor.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the current expenses of the Michigan Soldiers' Home for the fiscal year ending June thirty, nineteen hundred eight, the sum of one hundred sixty-six thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of one hundred sixty-six thousand dollars.

Current expenses.

SEC. 2. The further sum of nineteen thousand five hundred fifty dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the purpose and amounts as follows: For replacing and repairing present system of heating and plumbing in the main building, six thousand dollars; for repairs to old hospital building, three thousand dollars; for repairs to woman's building, two thousand dollars; for an elevator at the new hospital building, two thousand fifty dollars; for connections with heating, water and power plants for hospital building, two thousand dollars; for one one hundred kilowatt dynamo, one thousand eight hundred twenty-five dollars; for one engine for the same, erected, two thousand six hundred seventy-five dollars: *Provided*, That if the amount designated in this section for any of the purposes stated be insufficient to complete the work or purchase, any surplus remaining after the

Special purposes.

Proviso, transfer of funds.

thirty, nineteen hundred nine, the sum of sixty thousand dollars.

Miscellaneous.

SEC. 2. The further sum of twenty thousand eight hundred dollars is hereby appropriated for the said institution for the fiscal year ending June thirty, nineteen hundred eight, by purposes and amounts as follows: For addition to main building connecting with gymnasium, twelve thousand dollars; for improvement of grounds, one thousand dollars; for motor and fan for ventilation, three thousand five hundred dollars; for manual training equipment, one thousand five hundred dollars; for telephone system, two hundred dollars; for special reference works for library, including set of periodicals and encyclopedia, one thousand five hundred dollars; and for curb and gutter on Davis street, six hundred dollars; for claim of Olmsted Brothers, landscape gardeners, five hundred dollars.

Training school building.

SEC. 3. The further sum of sixty thousand dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred nine, for the purpose of erecting a training school building for said institution.

Transfer of funds.

SEC. 4. It is hereby provided that if the several amounts designated in sections two and three of this act, for any one of the purposes stated, be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in said sections, may, by obtaining consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire eighty thousand eight hundred dollars available for the purposes stated in said sections, if, in the judgment of the State Board of Corrections and Charities and the Auditor General it is deemed advisable to make the transfers for which provision is hereby made.

Sums, how paid.

SEC. 5. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the State Board of Education, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

Tax clause.

SEC. 6. The Auditor General shall add to and incorporate in the State tax for the year nineteen hundred seven, for the Western State Normal School, the sum of eighty thousand eight hundred dollars, and for the year nineteen hundred eight, for said institution, the sum of one hundred twenty thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 207.]

AN ACT making appropriations for the Upper Peninsula Hospital for the Insane at Newberry, for the fiscal year ending June thirty, nineteen hundred eight, for building and special purposes, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the Upper Peninsula Hospital for the Insane at Newberry, for the fiscal year ending June thirty, nineteen hundred eight, the sum of ninety-eight thousand four hundred dollars, for purposes and amounts as follows: For one cottage, twenty-three thousand dollars; for one administration building, fifty-seven thousand dollars; furnishings for two cottages, five thousand dollars; furnishings for new administration building, two thousand dollars; for two cloister connections, two thousand six hundred dollars; for three hundred fifty feet of heating extension, two thousand dollars; for three elevators, one of which is for new administration building, five thousand dollars; for wire screens for present administration building, eight hundred dollars; for remodeling present administration building for patients, one thousand dollars.

Amounts ap-
propriated.

SEC. 2. If the amount designated in section one of this act for any one of the purposes stated be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in section one, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where a deficiency seems unavoidable, the intent of the provision of this section being to make the entire ninety-eight thousand four hundred dollars available for the purposes stated in section one, if in the judgment of the State Board of Corrections and Charities and the Auditor General it is deemed advisable to make the transfers provided for in this section.

Transfers pro-
vided for.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the Upper Peninsula Hospital for the Insane at Newberry, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

Sums, how
paid out.

SEC. 4. The Auditor shall incorporate in the State tax for the year nineteen hundred seven, the sum of ninety-eight thousand four hundred dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

Tax clause.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 208.]

AN ACT making appropriations for the Industrial School for Boys for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide for a tax to meet the same.

The People of the State of Michigan enact:

Current
expense.

SECTION 1. There is hereby appropriated for the current expenses of the Industrial School for Boys for the fiscal year ending June thirty, nineteen hundred eight, the sum of eighty-two thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of eighty-two thousand dollars: *Provided*, That the board of trustees may, in its discretion, expend a sum not to exceed one thousand dollars, in installing a dynamo or other appliance for lighting purposes, which shall be deducted from and charged to the current expense fund of said institution, for the fiscal year ending June thirty, nineteen hundred eight.

Proviso,
lighting.

Special pur-
poses, 1908.

SEC. 2. The further sum of thirty-nine thousand three hundred dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for purposes and amounts as follows: For addition to horse barn, two thousand one hundred dollars; for renewing furniture and bedding, five hundred dollars; for steam and water plant repairs, one thousand five hundred dollars; for the maintenance of the department of technology, two thousand dollars; for painting and papering, seven hundred fifty dollars; for library books, two hundred fifty dollars; for the maintenance of the sloyd department, one thousand dollars; for maintenance of the department of stenography and typewriting, seven hundred dollars; for sidewalks and fences, five hundred dollars; for erecting a new chapel, thirty thousand dollars.

Special pur-
poses, 1909.

The further sum of six thousand seven hundred dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred nine, for purposes and amounts as follows: For renewing furniture and bedding, five hundred dollars; for steam and water plant repairs, one thousand five hundred dollars; for maintenance of the department of technology, two thousand dollars; for painting and papering, seven hundred fifty dollars; for library books, two hundred fifty dollars; for maintenance of the sloyd department, one thousand dollars; for maintenance of the department of stenography and typewriting, seven hundred dollars: *Provided*, That if the amount designated in this section for any one of the purposes, be insufficient to complete the work or purchase, any surplus remaining after the completion of the other work or purchase specified in this section may, by obtaining the consent of the State Board of Corrections and Charities and Auditor General in writing before any expense

Proviso,
transfer of
funds.

in excess of the specific appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire forty-six thousand dollars available for the purposes stated herein if, in the judgment of the State Board of Corrections and Charities and Auditor General, it is deemed advisable to make the transfers for which provision is hereby made: *Provided further*, That the board of trustees may obtain money under this section before July first, nineteen hundred seven, in such amounts as it may, by requisition, certify to the Auditor General are necessary for immediate use, which amounts thus advanced shall be deducted from the amount appropriated when the appropriation becomes available.

Further proviso, money for immediate use.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the Industrial School for Boys, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder.

How paid out.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of one hundred twenty-one thousand three hundred dollars, and for the year nineteen hundred eight the sum of eighty-eight thousand seven hundred dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

Tax clause.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 209.]

AN ACT making appropriations for the Northern State Normal School for current expenses for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and for building and special purposes for said institution for the fiscal year ending June thirty, nineteen hundred eight, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the current expenses of the Northern State Normal School for the fiscal year ending June thirty, nineteen hundred eight, the sum of forty-six thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of forty-six thousand dollars.

Current expenses.

Special pur-
poses.

SEC. 2. The further sum of thirty-four thousand dollars is hereby appropriated for the said institution for the fiscal year ending June thirty, nineteen hundred eight, by purposes and amounts as follows: For central heating plant, thirty thousand dollars; for equipment of domestic science department, one thousand dollars; to finish the south building, three thousand dollars.

Transfer of
funds.

SEC. 3. It is hereby provided that if the several amounts designated in section two of this act, for any one of the purposes stated, be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in said section, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire thirty-four thousand dollars available for the purposes stated in said section, if in the judgment of the State Board of Corrections and Charities and the Auditor General it is deemed advisable to make the transfers for which provision is hereby made.

Sums, how
paid out.

SEC. 4. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the State Board of Education, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder.

Tax clause.

SEC. 5. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, for the Northern State Normal School, the sum of eighty thousand dollars, and for the year nineteen hundred eight, for said institution, the sum of forty-six thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 210.]

AN ACT to amend section one of act number one hundred fifty-two of the public acts of nineteen hundred three, entitled "An act to provide for the protection of trout in the Au Sable river and its tributaries."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section one of act number one hundred fifty-two of the public acts of nineteen hundred three, entitled

“An act to provide for the protection of trout in the Au Sable river and its tributaries,” is hereby amended to read as follows:

SEC. 1. It shall be unlawful for any person or persons to kill or capture in any manner whatever, in any of the waters of the Au Sable river in this State, or in any of the tributaries of said river, any brook trout, speckled trout, rain-bow trout or California trout of a less size than eight inches in length. And it shall be unlawful for any person or persons to kill or capture, in any manner whatever, in the tributary of said river, known as the North Branch, any fish of any kind whatever or to fish therein, by or with any other means or device than with artificial flies.

Unlawful to take under certain size.

Artificial flies.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 211.]

AN ACT to provide for the installation, maintenance, equipment and operation of a twine and cordage plant to be operated by prison labor at the State Prison at Jackson, Michigan, to provide for the sale and disposition of the manufactured product; to define the duties of the warden and board of control of said prison in relation thereto; to make an appropriation for the fiscal year ending June thirty, nineteen hundred eight, to carry into effect the object and purposes of this bill and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There shall be appropriated out of any of the money in the State treasury not otherwise appropriated for the fiscal year ending June thirty, nineteen hundred eight, the sum of one hundred seventy-five thousand dollars for the purpose of carrying out the provisions of this act: *Provided*, That of the one hundred seventy-five [thousand] dollars so appropriated, fifty thousand dollars is hereby appropriated for the purpose of purchasing, erecting and equipping the necessary buildings, machinery, boilers and equipment to be used in the manufacture of twine and cordage, together with a warehouse at the State Prison at Jackson, Michigan, and the remaining sum of one hundred twenty-five thousand dollars is hereby appropriated to constitute a “revolving fund” to be disposed of in such manner as is herein provided.

Appropriation for binder twine plant.

Proviso, buildings, machinery, warehouse.

“Revolving fund.”

SEC. 2. The warden and board of control of the State Prison at Jackson are hereby empowered, authorized and

Power and authority conferred.

Special pur-
poses.

SEC. 2. The further sum of thirty-four thousand dollars is hereby appropriated for the said institution for the fiscal year ending June thirty, nineteen hundred eight, by purposes and amounts as follows: For central heating plant, thirty thousand dollars; for equipment of domestic science department, one thousand dollars; to finish the south building, three thousand dollars.

Transfer of
funds.

SEC. 3. It is hereby provided that if the several amounts designated in section two of this act, for any one of the purposes stated, be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in said section, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire thirty-four thousand dollars available for the purposes stated in said section, if in the judgment of the State Board of Corrections and Charities and the Auditor General it is deemed advisable to make the transfers for which provision is hereby made.

Sums, how
paid out.

SEC. 4. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the State Board of Education, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder.

Tax clause.

SEC. 5. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, for the Northern State Normal School, the sum of eighty thousand dollars, and for the year nineteen hundred eight, for said institution, the sum of forty-six thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 210.]

AN ACT to amend section one of act number one hundred fifty-two of the public acts of nineteen hundred three, entitled "An act to provide for the protection of trout in the Au Sable river and its tributaries."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section one of act number one hundred fifty-two of the public acts of nineteen hundred three, entitled

“An act to provide for the protection of trout in the Au Sable river and its tributaries,” is hereby amended to read as follows:

SEC. 1. It shall be unlawful for any person or persons to kill or capture in any manner whatever, in any of the waters of the Au Sable river in this State, or in any of the tributaries of said river, any brook trout, speckled trout, rain-bow trout or California trout of a less size than eight inches in length. And it shall be unlawful for any person or persons to kill or capture, in any manner whatever, in the tributary of said river, known as the North Branch, any fish of any kind whatever or to fish therein, by or with any other means or device than with artificial flies.

Unlawful to take under certain size.

Artificial flies.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 211.]

AN ACT to provide for the installation, maintenance, equipment and operation of a twine and cordage plant to be operated by prison labor at the State Prison at Jackson, Michigan, to provide for the sale and disposition of the manufactured product; to define the duties of the warden and board of control of said prison in relation thereto; to make an appropriation for the fiscal year ending June thirty, nineteen hundred eight, to carry into effect the object and purposes of this bill and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There shall be appropriated out of any of the money in the State treasury not otherwise appropriated for the fiscal year ending June thirty, nineteen hundred eight, the sum of one hundred seventy-five thousand dollars for the purpose of carrying out the provisions of this act: *Provided*, That of the one hundred seventy-five [thousand] dollars so appropriated, fifty thousand dollars is hereby appropriated for the purpose of purchasing, erecting and equipping the necessary buildings, machinery, boilers and equipment to be used in the manufacture of twine and cordage, together with a warehouse at the State Prison at Jackson, Michigan, and the remaining sum of one hundred twenty-five thousand dollars is hereby appropriated to constitute a “revolving fund” to be disposed of in such manner as is herein provided.

Appropriation for binder twine plant.

Proviso, buildings, machinery, warehouse.

“Revolving fund.”

SEC. 2. The warden and board of control of the State Prison at Jackson are hereby empowered, authorized and

Power and authority conferred.

directed, at a cost of not to exceed fifty thousand dollars, to use, purchase, erect, equip and maintain the buildings, machinery, boilers and equipment which may be necessary for the manufacture of twine and cordage, together with the warehouse to be used in connection with said twine and cordage plant.

"Revolving fund," use and purpose of.

Proviso, superintendents, mechanics, etc.

Compensation, how paid.

Moneys collected, how paid over, credited, etc.

Schedule, what to show.

Fund carried as separate account, etc.

Proviso, excess of fund, use of.

Warden to give bond.

SEC. 3. The amount of the appropriation constituting this said "revolving fund" shall be used for the purpose of purchasing raw material, to be used in the manufacture of twine and cordage as herein provided, and for the purpose of carrying, handling and marketing the manufactured product of the said plant until disposed of according to the provisions of this act, and to provide for such other expenses as may be incurred under rules and regulations prescribed by the said board of control: *Provided*, That said warden and board of control of the said prison shall have authority to engage and appoint such superintendents, mechanics, agents, assistants and employes as shall be necessary to proceed with the erection and operation of the said plant, whose duties shall be prescribed by said warden and board of control; the compensation of such appointees shall be fixed by said board of control and shall be paid from the fund herein designated as the "revolving fund."

SEC. 4. All moneys derived from the sale of the manufactured product shall be collected by the warden, who shall monthly pay the same into the State treasury on or before the fifteenth of the following month, to the credit of the "revolving fund" created by this act, accompanying said report by a schedule showing the amount received from each person, giving the name and residence of such persons. It is hereby made the duty of the State Treasurer of the State of Michigan to carry as a separate account upon the books of his office said "revolving fund" and all accounts and items pertaining thereto, which fund shall be used for the payment of warrants drawn upon the same by the Auditor General, as required by the warden and board of control of said State Prison at Jackson: *Provided*, That when such "revolving fund" shall exceed the sum of one hundred twenty-five thousand dollars, the warden and board of control of said prison may use such excess, or as much thereof as is needed, for the purchase of such additional machinery as they deem necessary, or for the construction of additions to the plant or equipment thereof.

SEC. 5. Upon the installation of the said plant, the said warden of the said prison shall enter into a good and sufficient bond to the people of the State of Michigan in the penal sum of fifty thousand dollars, conditioned for the faithful performance of such additional duties devolving upon such officer as are herein prescribed, and to faithfully and promptly account for and pay over all moneys which may come into his possession from the sale of the manufactured product of the said twine and cordage plant for use in the

purchase of raw material, and from all other sources, which bond shall be approved by the Governor and filed with the Secretary of State. Approval of.

SEC. 6. The price of binding twine and cordage manufactured at the State Prison at Jackson shall be fixed by the warden and board of control of such prison which shall continue to be the price for the season, unless it shall become evident to the warden and said board of control that the price established is such that it would prevent the sale of the product, or such that the State would not receive a fair price, in which case a change in price can be made at any meeting of said board of control thereafter held, and the output of said plant shall be sold at such times and places and in such manner as the said warden and board of control of said prison shall determine to be for the best interests of the State: *Provided*, That the citizens of this State shall have the preference in purchasing said products of said plant: *Provided always*, That when any of said twine or cordage shall be sold to any persons, firms or corporations on credit, the claim of the State for the price thereof shall be a claim preferred against the property, money and effects of the debtor and shall have priority over the claims of all other creditors. Binding twine and cordage, price of, how fixed.

Change in price.
Output of plant, how sold.

Proviso, citizens preferred purchasers.
Proviso, priority of State claims.

SEC. 7. The warden and board of control of said prison may use, build and remodel buildings and purchase such materials and machinery as shall be necessary to fully equip said plant for its successful operation within the limit of the amount provided therefor in sections two and four of this act. May use, build and remodel buildings.

SEC. 8. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the warden of the State Prison at Jackson at such times and in such amounts as the general accounting laws of the State prescribe and the disbursing officer shall render his accounts to the Auditor General thereunder. Sums, how paid out.

SEC. 9. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of one hundred seventy-five thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated. Tax clause.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 212.]

AN ACT to amend section one of act number thirteen of the public acts of nineteen hundred three, entitled "An act to protect fish and prohibit the use of seines, gill nets or any form of pound, trap, sweep or set nets, or like device, in any of the waters of Lake Superior, within an imaginary line from Laughing Fish Point to a point two miles north of the most northerly point of Grand Island, and continuing in an easterly direction to Grand Portal on Pictured Rocks on the southern coast of Lake Superior."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section one of act number thirteen of the public acts of nineteen hundred three, entitled "An act to protect fish and prohibit the use of seines, gill nets or any form of pound, trap, sweep or set nets, or like device, in any of the waters of Lake Superior, within an imaginary line from Laughing Fish Point to a point two miles north of the most northerly point of Grand Island, and continuing in an easterly direction to Grand Portal on Pictured Rocks on the southern coast of Lake Superior," is hereby amended to read as follows:

Use of nets in
certain waters.

SEC. 1. No person or persons shall fish with, use or set any seines, gill nets or any form of pound, trap, sweep or set nets or any like device for taking fish, in any of the waters of Lake Superior or Munising bay, on either side of Grand Island, which are included within an imaginary line drawn from a point on the shore of the mainland in township forty-seven north, range eighteen west, which forms the westerly termination of the section line between sections seventeen and twenty of said township, thence proceeding in a northwesterly direction to a point opposite and distant one-half mile from Trout Point on Grand Island, thence northwesterly to a point opposite and one-half mile distant from the most easterly point in section twenty-five of township forty-eight north, range nineteen west on Grand Island, thence proceeding in a northwesterly direction, following a line one-half mile distant from the outermost points along the shore to the north end of Grand Island, and thence proceeding in the same manner and at the same distance from the outermost points along the shore in a westerly, southwesterly and southerly direction around Grand Island until a point is reached one-half mile distant from the shore and opposite the westerly termination of the section line between sections four and nine of township forty-seven north, range nineteen west on Grand Island, thence proceeding due west along said section line extended to a point due north of the northern extremity of the boundary line between

range nineteen west and range twenty west, thence proceeding due south to the shore of the mainland.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 213.]

AN ACT to repeal act number one hundred five of the public acts of eighteen hundred ninety-nine, entitled "An act to allow the spearing and netting of German carp in Budd Lake, in the city of Harrison, Clare county, Michigan."

The People of the State of Michigan enact:

SECTION 1. Act number one hundred five of the public acts of eighteen hundred ninety-nine, entitled "An act to allow the spearing and netting of German carp in Budd Lake, in the city of Harrison, Clare county, Michigan," is hereby repealed. Act repealed.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 214.]

AN ACT to provide for the lawful taking of suckers from the waters of Corey, Kaisers and Clear lakes in the county of St. Joseph, Michigan.

The People of the State of Michigan enact:

SECTION 1. It shall be lawful to take suckers from the waters of Corey, Kaisers and Clear lakes, in the county of St. Joseph, State of Michigan, by means of a set-over net: Lawful to net.
Provided, That the taking said suckers from said waters shall be done in such a manner as not to destroy other kinds of food fish protected under the laws of this State. Proviso.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 215.]

AN ACT for the protection of fish in the lakes and streams of the county of Branch, Michigan, and to regulate and prohibit fishing in any of said waters otherwise than with hook and line, to provide for the appointment of deputy game and fish wardens in the county to enforce said act, and provide for their compensation, and to repeal all acts or parts of acts inconsistent with this act.

The People of the State of Michigan enact:

Unlawful to fish except with hook and line.

SECTION 1. No person shall fish or catch fish or attempt to catch fish in any of the lakes or streams of the county of Branch, Michigan, except with hook and line.

Unlawful to use spear, grab-hook, etc.

SEC. 2. It shall be unlawful to fish or catch fish or to attempt to catch fish in any of the lakes or streams of the county of Branch with any kind of spear or grab-hook or by the use of jacks or artificial lights of any kind or by the use of set lines or night lines or any kind of net or any kind of firearms or explosives or electricity or the use of any other device or method, except by the hook and line or in any manner whatever except as provided in section one of this act: *Provided*, It shall be lawful to use minnow nets for the purpose of taking minnows for bait and to spear red horse and suckers from March first to May first of each year in the streams of said county, but not in the lakes thereof.

Proviso, minnow nets, red horse, etc.

Unlawful to buy or sell, etc.

SEC. 3. It shall be unlawful for any person, persons, firm, company or corporation to purchase, buy or sell or offer for sale or have in their possession, fish of any kind taken by any means otherwise than by hook and line at any season of the year from the lakes or streams of the county of Branch.

Prima facie evidence.

SEC. 4. In all prosecutions under section one of this act it shall be prima facie evidence on the part of the people of the violation of the provisions of this act to show that the defendant was found upon the waters of said county with spear, net, trap net, set lines, jack or any artificial light of any kind or with dynamite, giant powder or any other explosive substance or combination of substances.

Penalty.

SEC. 5. Any person or persons, company or corporation, violating any of the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not less than twenty-five dollars and not exceeding one hundred dollars and the costs of prosecution or by imprisonment in the county jail not less than thirty days and not exceeding three months, or both such fine and imprisonment in the discretion of the court, and in all such cases where a fine and costs are imposed, the court shall sentence the offender to be confined in the county jail

until such fine and costs are paid, for any period not exceeding three months.

SEC. 6. It shall be the duty of the State Game, Fish and Forestry Warden, within thirty days after the passage of this act, to appoint not to exceed three deputy game, fish and forestry wardens, in said county of Branch, who shall each hold their office for one year during the pleasure of the State Game, Fish and Forestry Warden, and whose duties it shall be to see that all the provisions of this act are kept and enforced, and who shall be vested with all powers of deputy game, fish and forestry wardens under the general laws of this State. Such deputy game, fish and forestry wardens shall receive as compensation for their services, actually performed, the sum of two dollars and fifty cents per day, together with all reasonable and necessary expenses actually incurred. The bills of such deputy game, fish and forestry wardens, together with their expense account, shall be passed upon by the State Game, Fish and Forestry Warden, and when so audited and approved by him, shall be certified to the board of supervisors of the county of Branch, and shall be allowed by such board of supervisors and ordered to be paid out of the general fund of the county of Branch, but the total amount of such bills audited and allowed for such services and expenses in any one year shall not exceed the sum of four hundred dollars.

Deputy wardens for county, appointment of.

Compensation.

Bills and expense account, audit and allowance of.

Amount limited.

SEC. 7. Act number one hundred ninety-three of the public acts of Michigan of nineteen hundred five, entitled "An act to protect fish and to regulate fishing in the waters of Branch county, by providing closed seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching and killing in the waters of said county and to prohibit the sale of certain kinds of fish during certain specified seasons," and all other acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 216.]

AN ACT to amend section twelve of an act entitled "An act to provide for a municipal court in the city of Grand Rapids to be called 'The Superior Court of Grand Rapids,'" approved March twenty-four, eighteen hundred seventy-five, as amended May nineteen, eighteen hundred seventy-seven, May twenty-three, eighteen hundred seventy-nine, April twenty-nine, eighteen hundred eighty-one, March twenty-one, eighteen hundred eighty-seven, February sixteen, eighteen hundred eighty-nine, April twenty-nine, eighteen hundred ninety-one, February eight, eighteen hundred ninety-five, June seven, nineteen hundred five, and February twenty-seven, nineteen hundred seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section twelve of an act entitled "An act to provide for a municipal court in the city of Grand Rapids to be called 'The Superior Court of Grand Rapids,'" is hereby amended to read as follows:

Bailiff, court
to appoint.

Sheriff to
serve writs,
etc.

Bailiff, idem.

Salary of
bailiff.

Fees, disposi-
tion of.

SEC. 12. A bailiff shall be appointed by the judge of said court to attend the sittings of said court and to hold his office at the pleasure of said judge. The sheriff of the county, his under-sheriff or his deputies shall have the power and it shall be their duty to execute all lawful precepts and commands of said court and to serve all lawful writs and process, issuing therefrom, and the bailiff of said court and his assistant shall have a like power and authority and, at the direction of the judge of said court, it shall be their duty to serve and execute all lawful precepts, processes, writs and commands of said court, including the service of subpoenas upon either the law side or chancery side of said court. The salary of said bailiff shall be the sum of one thousand dollars per annum, payable in monthly installments from the city treasury upon the order of the common council, which sum shall be in full of all compensation and fees of every kind and nature for services rendered by said bailiff. The fees of said sheriff, his under-sheriff and his deputies and of said bailiff and his assistant for services rendered in said court and in all civil actions, matters or proceedings pending therein, shall be the same as those prescribed by law and allowed to be taxed or collected for the services of sheriffs performing similar duties, and the said sheriff shall collect the same for all services performed hereunder by himself, his under-sheriff or his deputies, which said fees collected by him shall belong to and be received for the county of Kent, and the said bailiff shall collect the same for all services performed hereunder by himself or his assistant, which said fees collected by him shall belong to the city of Grand Rapids and be paid into the city treasury

from time to time when received by him. In the event of the inability of said bailiff at any time to attend court or to serve process or perform the duties required of him, the judge of said court shall be authorized to appoint an assistant bailiff to perform such services for which said assistant bailiff shall receive, to be allowed by the common council and paid by the city treasurer, the sum of two and one-half dollars per day. The said bailiff or his assistant when appointed by the court, shall have full power and authority to bring prisoners to the bar of said court from the county jail, and to return the same to the county jail when so required by the judge of said court. The sheriff of said county, or his deputies, shall likewise, when required by the order of said court, produce persons charged with crime before said court and return the same to the county jail in the same manner and without other charge than is made to the county for bringing prisoners from the county jail to the circuit court of the county of Kent and returning the same. Actual disbursements in the execution of criminal process or the service of subpoenas in criminal cases shall be a charge against the county of Kent in the same manner as disbursements of a like character in criminal cases pending in the circuit court for the county of Kent.

Assistant
bailiff.Authority of
bailiff.

Sheriff.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 217.]

AN ACT to repeal "An act to prescribe the measure of damages in actions for negligent injuries to persons where deaths result and where the actions are prosecuted under the survival act, and to provide for the distribution of the amounts paid on account of such damages without participation by creditors of the deceased," being act number eighty-nine of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

SECTION 1. Act number eighty-nine of the public acts of nineteen hundred five, approved May three, nineteen hundred five, entitled "An act to prescribe the measure of damages in actions for negligent injuries to persons where deaths result and where the actions are prosecuted under the survival act, and to provide for the distribution of the amounts paid on account of such damages without participation by creditors of the deceased," is hereby repealed.

Act repealed.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 218.]

AN ACT to amend section number fourteen of act number one hundred eighty-three of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," said section being compiler's section number three hundred seventy-six of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section number fourteen of act number one hundred eighty-three of the public acts of eighteen hundred ninety-seven, being compiler's section number three hundred seventy-six of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

First circuit,
salary of
stenographer.
Duty as to
inquests, etc.

SEC. 14. In the first circuit, composed of Hillsdale county, the stenographer shall be paid an annual salary of fourteen hundred dollars; and it shall be the duty of the stenographer in said first judicial circuit, when the same shall not conflict with his official duties relative to the work connected with the circuit court, to attend, when so directed by the circuit judge, all preliminary examinations before justices of the peace or coroner's inquests in said county of Hillsdale, take full stenographic minutes of the testimony, transcribe the same and furnish the prosecuting attorney of the county of Hillsdale with a copy of the transcription, without extra compensation therefor.

Approved June 27, 1907.

[No. 219.]

AN ACT making appropriations for the Central Michigan Normal School for current expenses for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and for building and special purposes for said institution for the fiscal year ending June thirty, nineteen hundred eight, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the current expenses of the Central Michigan Normal School for the fiscal year ending June thirty, nineteen hundred eight, the sum of seventy-four thousand five hundred ninety dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of seventy-four thousand five hundred ninety dollars. Amount appropriated for current expenses.

SEC. 2. The further sum of fifty-six thousand eight hundred dollars is hereby appropriated for the said institution for the fiscal year ending June thirty, nineteen hundred eight, by purposes and amounts as follows: For physical training building, fifty thousand dollars; for women's lavatory, one thousand eight hundred dollars; for converting present gymnasium into class rooms, one thousand five hundred dollars; to complete heating of training school building, including motor and fan, two thousand dollars; for new boiler for heating plant, one thousand five hundred dollars. For specific expenses.

SEC. 3. It is hereby provided that if the several amounts designated in section two of this act, for any one of the purposes stated, be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in said section, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire fifty-six thousand eight hundred dollars available for the purposes stated in said section, if, in the judgment of the State Board of Corrections and Charities and the Auditor General, it is deemed advisable to make the transfers for which provision is hereby made. Transfer of funds.

SEC. 4. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the State Board of Education, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder. How paid.

Tax clause.

SEC. 5. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, for the Central Michigan Normal School, the sum of one hundred thirty-one thousand three hundred ninety dollars, and for the year nineteen hundred eight, for said institution, the sum of seventy-four thousand five hundred ninety dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 220.]

AN ACT making appropriations for the Eastern Michigan Asylum at Pontiac, Michigan, for the fiscal year ending June thirty, nineteen hundred eight, for building and special purposes, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Amount ap-
propriated for
water system.

SECTION 1. The sum of ten thousand six hundred fifty dollars is hereby appropriated for the Eastern Michigan Asylum for the fiscal year ending June thirty, nineteen hundred eight, for renewing the domestic water supply system by the erection of a water tower and a replacement of worn-out piping with new piping.

For fire sys-
tem.

SEC. 2. The further sum of seven thousand nine hundred eighty dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the purpose of extending to completion the fire protection system by deepening the present well, providing a duplex pump and extending mains to the detached buildings.

For heating
plant.

SEC. 3. The further sum of thirty-one thousand one hundred dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the purpose of establishing a central heating plant by the purchase of one new boiler, with necessary purifier and connections; by the construction of tunnels to the detached buildings, and by the installation of necessary piping and fixtures.

For light.

SEC. 4. The further sum of one thousand seven hundred dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the purchase of a small electrical unit for the hours of light load.

For creation of
dormitories
and erection
of assembly
building.

SEC. 5. The further sum of sixty-six thousand sixty-six dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the creation of additional provision for patients by converting present dining rooms into dormitories and by the further conversion of

the present assembly hall into a congregate dining room, and by the erection of a new assembly building.

SEC. 6. The further sum of three thousand five hundred dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the necessary furnishings for the equipment of a new building for patients, for which building an appropriation was made by the legislature of nineteen hundred five, under section two, act three hundred twenty-one, public acts of nineteen hundred five. For equipment of certain building.

SEC. 7. It is hereby provided that if the amount designated in sections one, two, three, four, five and six of this act for any one of the purposes stated, be insufficient to complete the work or purchases, any surplus remaining after the completion of the other work or purchases, may, by obtaining the consent of the State Board of Corrections and Charities and Auditor General, in writing before any expense in excess of the specific appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire one hundred twenty thousand nine hundred ninety-six dollars available for the purposes stated herein, if in the judgment of the State Board of Corrections and Charities and Auditor General, it is deemed advisable to make the transfers for which provision is hereby made: *Provided further*, That the board of trustees of the Eastern Michigan Asylum, at Pontiac, may obtain money under this section before July one, nineteen hundred seven, in such amounts as they may, by requisition, certify to the Auditor General are necessary for immediate use, which amounts, thus advanced, shall be deducted from the total amount appropriated when the appropriation becomes available. Transfer of funds. Proviso as to obtaining advanced mon-
eys.

SEC. 8. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the treasurer of the Eastern Michigan Asylum in such amounts and at such times as the general accounting laws of the State prescribe and the disbursing officer shall render his accounts to the Auditor General thereunder. Appropriations, how paid.

SEC. 9. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of one hundred twenty thousand nine hundred ninety-six dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated. Tax clause.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 221.]

AN ACT making appropriations for the current expenses and building and special purposes for the Michigan College of Mines at Houghton, for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Current expenses.

SECTION 1. There is hereby appropriated for the current expenses of the Michigan College of Mines, for the fiscal year ending June thirty, nineteen hundred eight, the sum of sixty thousand dollars and for the fiscal year ending June thirty, nineteen hundred nine, the sum of sixty thousand dollars.

Special purposes, 1908.

SEC. 2. The further sum of forty-three thousand eight hundred dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the purpose of erecting a central heating, lighting and power plant.

1909.

SEC. 3. The further sum of seventy-five thousand dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred nine, for the purpose of erecting a library and mineralogical building for said institution.

How paid.

SEC. 4. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the treasurer of the Michigan College of Mines at such times and in such amounts as the general accounting laws of the State prescribe and the disbursing officer shall render his account to the Auditor General thereunder.

Tax clause.

SEC. 5. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of one hundred three thousand eight hundred dollars, and for the year nineteen hundred eight, the sum of one hundred thirty-five thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 222.]

AN ACT making appropriations for the Michigan Asylum for the Insane at Kalamazoo, for building and special purposes, for the fiscal year ending June thirty, nineteen hundred eight, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the Michigan Asylum for the Insane at Kalamazoo, the sum of one hundred three thousand seven hundred eighty-five dollars and five cents for purposes and amounts as follows: For raising the roof over the center fourth story, female department, and fire-proofing the same, nineteen thousand sixty-eight dollars and ninety-seven cents; for furnishing room for twenty-two employes, fifteen hundred ninety-seven dollars and sixty-four cents; for raising roof and building additional third story over hall E at the male department, eleven thousand eight hundred forty-one dollars and ninety-six cents; for raising roof and building additional third story over hall H, male department, ten thousand three hundred six dollars and ninety-six cents; for furnishings for rooms for seventy-five patients, two thousand eight hundred fifty-seven dollars and fifty cents; for proposed changes in the dining room and kitchen at the male department, sixteen thousand nine hundred eighty-eight dollars and ninety-five cents; furnishings for rooms for fifty patients, one thousand nine hundred five dollars; furnishings for rooms for eleven employes, seven hundred ninety-eight dollars and eighty-two cents; for erecting a building at the colony farm to be used as a central heating plant, kitchen, dining room, sewing room and laundry, and furniture for fifty patients and fourteen employes, including ranges, boilers refrigerators, etc., twenty-three thousand two hundred ninety-nine dollars and ninety-four cents; for two additional boilers with connections and additions to power house, fifteen thousand one hundred nineteen dollars and thirty-one cents.

SEC. 2. It is hereby provided that if any of the amounts designated in section one of this act, for the purposes stated, be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire one hundred three thousand seven hundred eighty-five dollars and five cents available for the purposes stated herein, if, in the judgment of the

State Board of Corrections and Charities and the Auditor General, it is deemed advisable to make the transfers.

Appropriations, how paid.

SEC. 3. The several sums appropriated by the provisions or [of] this act shall be paid out of the State treasury to the treasurer of the Michigan Asylum for the Insane, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

Tax clause.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of one hundred three thousand seven hundred eighty-five dollars and five cents, which when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 223.]

AN ACT to provide a tax to meet the amounts disbursed by the State at the several asylums for the support of patients under the several laws relating thereto.

The People of the State of Michigan enact:

Tax levy for 1907, disbursement for asylums.

SECTION 1. The Auditor General shall add to and incorporate with the State tax for the year nineteen hundred seven the sum of eight hundred sixty-six thousand two hundred fifty-six dollars fifty-five cents, for the purpose of reimbursing the State treasury for money disbursed under existing laws on account of the support of patients in the several State asylums during the fiscal year ending June thirty, nineteen hundred five, by institutions, as follows: For the Eastern Michigan Asylum, the sum of one hundred ninety-eight thousand two hundred twenty dollars sixty-one cents; for the Michigan Asylum for the Insane, the sum of two hundred forty-six thousand one hundred eighty dollars seventy-six cents; for the Northern Michigan Asylum, the sum of one hundred ninety-seven thousand seven hundred thirty-one dollars eighty cents; for the State Asylum, the sum of fifty-three thousand three hundred seventy-three dollars ninety-six cents; for the Upper Peninsula Hospital for the Insane, the sum of ninety-nine thousand four hundred seventy-four dollars twenty-eight cents; for the Wayne County Asylum, the sum of seventy-one thousand two hundred seventy-five dollars fourteen cents.

For 1908.

SEC. 2. The Auditor General shall add to and incorporate with the State tax, for the year nineteen hundred eight,

the sum of eight hundred seventy-four thousand one hundred seventy-seven dollars seventy cents, for the purpose of reimbursing the State treasury for money disbursed under existing laws on account of the support of patients in the several State asylums during the fiscal year ending June thirty, nineteen hundred six, by institutions, as follows: For the Eastern Michigan Asylum, the sum of one hundred ninety-five thousand one hundred forty-nine dollars sixty-six cents; for the Michigan Asylum for the Insane, the sum of two hundred forty-six thousand seven hundred ninety-four dollars sixty-seven cents; for the Northern Michigan Asylum, the sum of one hundred ninety-eight thousand six hundred sixty-four dollars ninety-three cents; for the State Asylum, the sum of fifty-six thousand one hundred twenty-eight dollars twelve cents; for the Upper Peninsula Hospital for Insane, the sum of one hundred four thousand six hundred twenty-six dollars ninety-eight cents; for the Wayne County Asylum, the sum of seventy-two thousand eight hundred thirteen dollars thirty-four cents. The money arising from the taxes levied under the provisions of this act, shall, when collected, be placed to the credit of the general fund to reimburse the same for the money previously expended. Moneys collected, how credited.

SEC. 3. The several sums appropriated or disbursed by the provisions of law for which this tax is levied shall be paid out of the general fund in the State treasury to the proper board or officer of the respective institutions, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder. How paid.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 224.]

AN ACT to amend section nine of chapter ninety-three of the revised statutes of eighteen hundred forty-six, entitled "Of courts held by justices of the peace," being section seven hundred eleven of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section nine of chapter ninety-three of the revised statutes of eighteen hundred forty-six, entitled "Of courts held by justices of the peace," being section seven hundred eleven of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

When justice
not to have
jurisdiction.

SEC. 9. No justice shall take cognizance of any cause, or do any judicial act when he shall be related within the fourth degree of affinity or consanguinity to either party in any such matter, or shall have been of counsel, or shall be directly or indirectly interested in such cause or matter, or when he shall be related within the third degree of consanguinity to either of the attorneys, counselors, solicitors or agents of either party to said cause, unless the parties interested in such cause, or their agents or attorneys, shall, with full knowledge of such disability, expressly consent that such justice may take cognizance of such cause or do such act.

Approved June 27, 1907.

[No. 225.]

AN ACT to amend section twenty-two of chapter twenty-one of the revised statutes of eighteen hundred forty-six, as amended by act number one hundred twenty of the public acts of nineteen hundred five, said chapter being entitled "Hawkers and Peddlers," and being section five thousand three hundred thirty of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section twenty-two of chapter twenty-one of the revised statutes of eighteen hundred forty-six, as amended by act number one hundred twenty of the public acts of nineteen hundred five, said chapter being entitled "Hawkers and Peddlers," and being section five thousand three hundred thirty of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

License, who
may sell with-
out.

SEC. 22. Nothing contained in this chapter shall be construed to prevent any manufacturer, farmer, mechanic or nurseryman from selling his work or production by sample or otherwise without a license, nor shall any peddler in meat or fish be prevented by anything herein contained from peddling such meat or fish without a license, nor shall any merchant who has been conducting a regularly established mercantile business in any county of the State for a period of at least one year previous, be prevented by anything herein contained from selling groceries, dry goods or general merchandise from a wagon within the limits of his county or adjoining counties without a license so long as he shall continue such regularly established mercantile business; nor shall any wholesale merchant be prevented by anything herein contained, from selling to dealers by sample without license, but no merchant shall be allowed to peddle, or to

Who to pro-
cure license.

employ others to peddle goods not his own manufacture, except as above specified, without the license in this chapter provided.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 226.]

AN ACT to provide for the payment of bounties for the killing of English sparrows.

The People of the State of Michigan enact:

SECTION 1. Every person being an inhabitant of this State, who shall kill an English sparrow in any organized township, village or city in this State, during the months of December, January and February of each year, shall be entitled to receive a bounty of two cents for each sparrow thus killed, to be allowed and paid in the manner hereinafter provided. Two cent bounty; certain months.

SEC. 2. Every person applying for such bounty shall take such sparrow, in lots of not less than ten, to the clerk of the township, village or city within which such sparrow shall have been killed, in a state of good preservation, and if satisfied with the correctness of such claim, shall issue a certificate stating the amount of bounty to which such applicant is entitled and deliver the same to said applicant, and shall destroy such sparrows by burning. Duty of applicant. Certificate.

SEC. 3. Such certificate may be presented by the claimant or his agent to the county clerk of the county in which such sparrows have been killed, who shall thereupon draw a warrant for the amount on the treasurer of said county, and said treasurer shall, upon presentation of said warrant, pay the same from the general or contingent fund of said county. Payment of certificate.

SEC. 4. Any person who collects or attempts to collect any bounty under the provisions of this act, on any bird other than English sparrows, or who collects or attempts to collect such bounty upon any sparrows not killed in the county in which such collection or attempt to so collect is made, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one dollar nor more than ten dollars, or by imprisonment in the county jail not more than ten days, or by both such fine and imprisonment in the discretion of the court. Misdemeanor, what deemed; penalty.

Approved June 27, 1907.

[No. 227.]

AN ACT to provide a tax to meet the amounts disbursed by the State for the current expenses of the Michigan State Prison, the State House of Correction and Branch Prison, Upper Peninsula, and the Michigan Reformatory.

The People of the State of Michigan enact:

Tax levy for 1907, disbursement for prisons.

Amounts disbursed.

For 1908.

Amounts disbursed.

Moneys collected, how credited.

How paid.

SECTION 1. The Auditor General shall add to and incorporate with the State tax for the year nineteen hundred seven the sum of one hundred twenty thousand dollars for the purpose of reimbursing the State treasury for money disbursed under existing laws on account of current expenses for the Michigan State Prison, the State House of Correction and Branch Prison, Upper Peninsula, and the Michigan Reformatory, during the fiscal year ending June thirty, nineteen hundred five, by institutions, as follows: For the Michigan State Prison, the sum of fifty-four thousand dollars; for the State House of Correction and Branch Prison, Upper Peninsula, the sum of forty-two thousand dollars; for the Michigan Reformatory, the sum of twenty-four thousand dollars.

SEC. 2. The Auditor General shall add to and incorporate with the State tax for the year nineteen hundred eight the sum of one hundred twelve thousand dollars, for the purpose of reimbursing the State treasury for money disbursed under existing laws on account of current expenses for the Michigan State Prison, the State House of Correction and Branch Prison, Upper Peninsula, and the Michigan Reformatory, during the fiscal year ending June thirty, nineteen hundred six, by institutions, as follows: For the Michigan State Prison, the sum of sixty-six thousand dollars; for the State House of Correction and Branch Prison, Upper Peninsula, the sum of twenty-four thousand dollars; for the Michigan Reformatory, the sum of twenty-two thousand dollars. The money arising from the taxes levied under the provisions of this act, shall, when collected, be placed to the credit of the general fund to reimburse the same for the money previously expended.

SEC. 3. The several sums appropriated or disbursed by the provisions of law for which this tax is levied shall be paid out of the general fund in the State treasury to the proper board or officer of the respective institutions, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 228.]

AN ACT making appropriations for the Michigan School for the Blind for repairs and special purposes, and for current expenses for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax therefor.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the current expenses of the Michigan School for the Blind for the fiscal year ending June thirty, nineteen hundred eight, the sum of thirty-five thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of thirty-five thousand dollars. Amount appropriated for current expenses.

SEC. 2. The further sum of five thousand three hundred fifty dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for the purposes and amounts as follows: Fencing, four hundred fifty dollars; steam cooker, kitchen furniture and piping, two thousand dollars; general repairs, two thousand dollars; pianos, six hundred fifty dollars; walks, two hundred fifty dollars: *Provided*, If the amount designated in this section for any one of the purposes stated be insufficient to complete the work or purchase, any surplus remaining after the completion of the other work or purchase specified in this section may, by obtaining the consent of the State Board of Corrections and Charities and Auditor General in writing before any expense in excess of the specific appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire five thousand three hundred fifty dollars available for the purposes stated herein, if, in the judgment of the State Board of Corrections and Charities, and Auditor General, it is deemed advisable to make the transfer for which provision is hereby made: *Provided further*, That the board of control may obtain money under this section before July one, nineteen hundred seven, in such amounts as it may, by requisition, certify to the Auditor General are necessary for immediate use, which amounts thus advanced shall be deducted from the total amount appropriated when the appropriation becomes available. For specific expenses. Proviso as to transfers of appropriations. Proviso as to obtaining advanced moneys.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the treasurer of the Michigan School for the Blind at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the Auditor General thereunder. Appropriations, how paid.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of Tax clause.

forty thousand three hundred fifty dollars, and for the year nineteen hundred eight, thirty-five thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 229.]

AN ACT making appropriations for the Michigan Employment Institution for the Blind, for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, for current expenses and for building and special purposes, and to provide a tax therefor.

The People of the State of Michigan enact:

Appropriation for current expenses.

SECTION 1. There is hereby appropriated for the current expenses of the Michigan Employment Institution for the Blind, for the fiscal year ending June thirty, nineteen hundred eight, the sum of twenty-five thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of twenty-five thousand dollars.

For specific expenses.

SEC. 2. The further sum of three thousand eight hundred twenty dollars is hereby appropriated for the said institution for the fiscal year ending June thirty, nineteen hundred eight, by purposes and amounts as follows: For one warehouse, two thousand dollars; for plants and shrubs, five hundred dollars; for land, six hundred seventy dollars; and for one new boiler, six hundred fifty dollars.

How used.

How paid.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the treasurer of the Michigan Employment Institution for the Blind at such times and in such amounts as the general accounting laws of the State prescribe and the disbursing officer shall render his account to the Auditor General thereunder.

Tax clause.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of twenty-eight thousand eight hundred twenty dollars, and for the year nineteen hundred eight, the sum of twenty-five thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 230.]

AN ACT making appropriations for the State Board of Fish Commissioners for current expenses and for building and special purposes for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the current expenses of the State Board of Fish Commissioners for the fiscal year ending June thirty, nineteen hundred eight, the sum of thirty-four thousand six hundred ninety dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of thirty-three thousand seventy-five dollars: *Provided*, That not more than five hundred dollars may be spent in each year by said board for traveling and incidental expenses outside of the State.

Appropriation for current expenses.

Proviso as to traveling expenses.

SEC. 2. The further sum of eleven thousand five hundred dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for purposes and amounts as follows: For the Paris station, two thousand dollars; for the Mill Creek station, six hundred dollars; for the Drayton Plains station, three thousand four hundred dollars; for the Harrietta station, five thousand dollars; for the Sault station, including auxiliary Bass station at Duck Lake, five hundred dollars.

Appropriation for specific expenses.

How used.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the treasurer of the State Board of Fish Commissioners at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

How paid.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of forty-six thousand one hundred ninety dollars, and for the year nineteen hundred eight, the sum of thirty-three thousand seventy-five dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

Tax clause.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 231.]

AN ACT to prohibit the catching of fish in the inland waters of Oakland county, for the purposes of sale, and to provide a penalty therefor.

The People of the State of Michigan enact:

Sale of fish unlawful.

SECTION 1. It shall hereafter be unlawful to catch in any manner any fish in the inland waters of Oakland county, for the purposes of sale, or to offer for sale, or sell fish caught therein.

Penalty.

SEC. 2. Any person violating the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, before a court of competent jurisdiction, shall be punished by a fine of not to exceed one hundred dollars, or imprisonment in the county jail for a period of not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

Repealing clause.

SEC. 3. All acts or parts of acts inconsistent herewith are hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 232.]

AN ACT to amend section thirty-one of act number seventy-nine of the session laws of eighteen hundred seventy-three, entitled "An act to provide for the appointment of a Commissioner of Railroads, and to define his powers, duties, and fix his compensation," the same being section five thousand two hundred thirty-four of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section thirty-one of act number seventy-nine of the session laws of eighteen hundred seventy-three, entitled "An act to provide for the appointment of a Commissioner of Railroads, and to define his powers, duties, and fix his compensation," the same being section five thousand two hundred thirty-four of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Earnings of railroads.

SEC. 31. Every steam or electric railroad company doing business in this State shall, on or before the twenty-fifth day in the months of January, April, July and October, in each year, report to the Commissioner of Railroads its earnings

from every source, for the quarter ending on the last day of the preceding month, and the proper blanks for that purpose shall be furnished by the commissioner. Every such railroad company shall also report to the Commissioner of Railroads its earnings from every source covering such period of time as may be required by the commissioner, upon thirty days' notice given by the commissioner to the company, in writing. Blanks for making such report shall be furnished by the commissioner. Any wilful neglect to make such reports shall render the company liable to a penalty of fifty dollars for each offense.

For a specified time, notice.

Penalty for violation.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 233.]

AN ACT to permit the destruction of dog fish and gar fish in Paw Paw lake, Watervliet township, county of Berrien, Michigan.

The People of the State of Michigan enact:

SECTION 1. It shall hereafter be lawful to catch dog and gar fish with seines in the waters of Paw Paw lake in Watervliet township, county of Berrien, for the purpose of destroying said dog and gar fish.

Gar and dog fish may be seined.

SEC. 2. All persons desiring to fish with seines for said fish shall first make application to the State or county game warden for the privilege of so fishing, and all fishing with seines as contemplated in this act shall be done under the direction and authority of said game warden.

Application to be made.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 234.]

AN ACT to promote the safety of employes and travelers upon railroads, by compelling common carriers in this State to equip their cars with automatic couplers and to provide a penalty for violations hereof.

The People of the State of Michigan enact:

SECTION 1. It shall hereafter be unlawful for any common carrier owning or operating any portion of a railroad wholly or partly in this State to haul or permit to be hauled

Unlawful to use cars without automatic couplers.

Proviso as to
certain cars.

or used on its line within this State any car used in moving traffic not equipped with couplers coupling automatically by impact, and which can be uncoupled without the necessity of men going between the ends of the cars: *Provided*, That nothing in this act contained shall apply to trains composed of four-wheeled cars or to trains composed of eight-wheeled standard logging cars where the height of such car from top of rail to center of coupling does not exceed twenty-five inches, or to locomotives used in hauling such trains when such cars or locomotives are exclusively used for the transportation of logs.

Penalty for
violation.

SEC. 2. Any such common carrier hauling or permitting to be hauled or used on its line any car in violation of the provisions of this act shall be liable to a penalty of not more than one hundred dollars for each and every such violation, to be recovered in an action of assumpsit brought in the name of the people of this State, and it shall be the duty of the prosecuting attorney of the proper county to bring any such action at the request of the Commissioner of Railroads.

Acts repealed.

SEC. 3. Act number one hundred forty-seven of the public acts of eighteen hundred eighty-five and all other acts or parts of acts contravening any of the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 235.]

AN ACT to amend section twenty of act number two hundred fifty-seven of the public acts of nineteen hundred five, entitled "An act to revise and amend the laws for the protection of game and birds."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section twenty of act number two hundred fifty-seven of the public acts of nineteen hundred five, entitled "An act to revise and amend the laws for the protection of game and birds," is hereby amended to read as follows:

Carcass, etc.,
possession of
in closed
season.

SEC. 20. No person shall have in his possession the dead body or carcass or skin, or any portion thereof, of any animal or bird mentioned or referred to in this act during the time when the killing of such animal or bird is unlawful, except as authorized by law, and excepting specimens, heads or pelts, prepared or mounted for scientific or educational purposes: *Provided, however*, That any person may have in his possession, for thirty days after the closing of the season, deer lawfully killed during the open season, and may have in his

Proviso, after
closing of
season.

possession for five days after the closing of the season, game birds and other animals lawfully killed during the open season: *Provided further*, That no person, corporation or transportation company shall receive for transportation, or have in possession at the initial billing station, the carcass or dead body of any animal or bird mentioned or referred to in this act, after forty-eight hours immediately following the closing of the time when the killing of said animal or bird is authorized by law: *Provided further*, That any person engaged in rearing any of the animals mentioned in this act, within an enclosure, may kill for his own use and consumption at any time any of the said animals, and may sell and transport alive any of the said animals, when accompanied by a permit from the State Game and Fish Warden; and it shall be the duty of the said Game and Fish Warden to issue such permits upon application, when satisfied that such animals were so reared within an enclosure.

Proviso as to transportation.

Proviso, persons rearing animals.

Approved June 27, 1907.

[No. 236.]

AN ACT to amend section eighteen of chapter one hundred fifty of the revised statutes of eighteen hundred forty-six, relative to the fees of grand and petit jurors, being section eleven thousand two hundred twenty-nine of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section eighteen of chapter one hundred fifty of the revised statutes of eighteen hundred forty-six, relative to the fees of grand and petit jurors, being section eleven thousand two hundred twenty-nine of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

SEC. 18. Each grand and petit juror and each talesman shall be entitled to receive three dollars for each day's attendance, and one dollar and fifty cents for each half day, upon any term of the circuit court, or before any court of record, and ten cents for each mile traveled in going and returning by the nearest traveled route, to be paid out of the county treasury of the county, on the certificate or order of the clerk or judge of such court.

Fees of jurors.

Mileage.

Approved June 27, 1907.

[No. 237.]

AN ACT to amend section four of chapter two hundred fifty-eight of the Compiled Laws of eighteen hundred ninety-seven, entitled "Fraudulent conveyances and contracts relating to personal property," said section being compiler's section number nine thousand five hundred seventeen.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section four of chapter two hundred fifty-eight of the Compiled Laws of eighteen hundred ninety-seven, entitled "Fraudulent conveyances and contracts relating to personal property," said section being compiler's section number nine thousand five hundred seventeen, is hereby amended to read as follows:

Memorandum
of contract
of sale, what
deemed.

SEC. 4. Whenever any goods shall be sold at auction and the auctioneer or the clerk of the auction at the time of sale enters in a sale book a memorandum specifying the nature and price of the property sold and the name of the purchaser, such memorandum, together with the auction bills, catalogue, or written or printed notice of sale containing the name of the person on whose account the sale is made and the terms of sale, shall be deemed a memorandum of the contract of sale within the meaning of the last section.

Approved June 27, 1907.

[No. 238.]

AN ACT to preserve deer and elk on the Island of Bois Blanc, in the county of Mackinac, in the State of Michigan.

The People of the State of Michigan enact:

Protected
until 1918.

SECTION 1. No person or persons shall pursue or hunt or kill, by any means whatsoever, any deer or elk on the Island of Bois Blanc, in the county of Mackinac, State of Michigan, until the first day of January, A. D., nineteen hundred eighteen.

Penalty.

SEC. 2. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by imprisonment in the

county jail not more than ninety days, or by a fine not exceeding two hundred dollars, or by both such fine and imprisonment in the discretion of the court.

SEC. 3. All acts or parts of acts inconsistent with this Repealing clause. act are hereby repealed.

Approved June 27, 1907.

[No. 239.]

AN ACT to provide for the lawful taking of suckers, mullet, dogfish and lawyers from the waters of the Sturgeon river in Houghton county, Michigan.

The People of the State of Michigan enact:

SECTION 1. It shall be lawful during the months of December, January, February, March, and April to take suckers, mullet, dogfish and lawyers from the waters of Sturgeon river, Houghton county, Michigan, by means of nets or in any other manner not destructive to other kinds of fish: *Provided*, That the taking of suckers, mullet, dogfish, and lawyers from said waters shall be done in such manner as not to destroy other kinds of food fish, protected under the laws of this State from being taken with nets or in other ways prohibited by law: And *Provided further*, That while taking said suckers, mullet, dogfish and lawyers in the waters of said river by the use of said nets, all other fish that may be caught in said nets be immediately returned, uninjured, to the waters of said river. Open season for suckers, mullet, etc. Proviso. Further proviso.

Approved June 27, 1907.

[No. 240.]

AN ACT to provide for the incorporation of safety and collateral deposit companies.

The People of the State of Michigan enact:

SECTION 1. That any number of persons, not less than five, may associate together to form an incorporated company, for the purpose of carrying on a safety deposit and Number may incorporate.

	collateral deposit business, under the provisions of this act, and with the powers herein conferred.
Articles, what to contain.	SEC. 2. That the persons so associating shall subscribe articles of association, which shall contain:
Name, residence, shares.	First, The name of the associates and their places of residence respectively and the number of shares of stock held by each;
Name of corporation, office.	Second, The name by which the corporation shall be known and the place where its principal office for the transaction of business is to be established;
Purpose.	Third, The purpose of the incorporation as mentioned in this act;
Capital stock.	Fourth, The amount of capital stock, which shall be not less than one hundred thousand dollars, nor more than five million dollars, and which shall be divided into shares of one hundred dollars each;
Amount paid in.	Fifth, The amount paid in upon the capital stock which shall not be less than fifty per cent thereof;
Directors, number of.	Sixth, The number of the directors of the corporation, which shall be not less than five nor more than nine;
Period incorporated.	Seventh, The period for which such corporation is to be incorporated, not to exceed the period of time authorized by the constitution of this State.
Execution and filing.	SEC. 3. Such articles of association shall be executed in triplicate, one of which shall be recorded in the office of the county clerk for the county in which the principal office of the company is located, one filed in the office of the Commissioner of the Banking Department, and one recorded in the office of the Secretary of State. Such articles of association or copies thereof duly certified by either of said officers, may be used as evidence in all courts for or against such corporation.
Corporate powers.	SEC. 4. All corporations organized and established under this act shall be deemed bodies politic and corporate, capable of suing and being sued, may have a common seal and may adopt, from time to time, by-laws not inconsistent with this act or any other provision of law.
Officers.	SEC. 5. The officers of the corporation shall be a president, vice-president, secretary and treasurer, who shall be members of the board of directors, and such other officers as shall be provided for by the by-laws of the corporation. The office of secretary and treasurer may be held by one person.
First meeting.	SEC. 6. The first meeting of the corporation may be called by any three of the original incorporators at such time and place as they may appoint, by giving notice thereof to all the incorporators, in writing, at least fifteen days before the time appointed for such meeting: <i>Provided</i> , That the first meeting of such corporation may be held without such notice if all the subscribers to the capital stock shall so agree, in writing.
Proviso.	
Annual meeting, when held.	SEC. 7. The annual meeting of the corporation shall be

held on the day of
in each year, at the principal office of the corporation, in
such manner and upon such notice as the by-laws of the cor-
poration shall determine.

SEC. 8. The stock, property and affairs of such corpora-
tion shall be managed by the board of directors, who shall
be chosen annually, at the annual meeting of the corporation
or at any lawful adjournment thereof, and shall hold their
offices for the period of one year and until their successors
shall be duly chosen. Said board of directors shall have
power to do all things which may be proper or necessary,
and not inconsistent with law, for the general regulation
and management of the business of the corporation and the
administration of its affairs, including the election of offi-
cers. A majority of the board of directors shall constitute
a quorum at all lawful meetings.

Affairs how
managed.

Directors,
powers of.

Quorum.

SEC. 9. Any corporation organized under this act shall
have power to conduct a safety deposit business for the safe-
keeping of any personal property, and to provide proper
vaults and premises for the same; and shall also have power
to receive on deposit, in trust, any personal property de-
posited with it by individuals, partnerships or corporations,
as collateral security for the payment of bonds, or other
obligations issued by such individuals, partnerships or cor-
porations, and to enter into and execute any instruments in
writing necessary and proper to carry such trusts into effect.

Safety deposit
business,
power to con-
duct.

SEC. 10. It shall be lawful for any such corporation to
purchase, lease, hold and convey all such real and personal
estate as may be necessary for the proper conduct of its
business. Any surplus of capital not used for the purposes
aforesaid may be invested in such securities as are designated
by law as lawful investments for savings banks.

Real and per-
sonal estate
may hold, etc.

Surplus, in-
vestment of.

SEC. 11. Every corporation organized under this act, and
which shall engage in the business of receiving personal
property in trust, as collateral security to bonds, or other
obligations, shall be subject to inspection and supervision
by the Commissioner of the Banking Department of the State
of Michigan, and shall semi-annually, and at any time when
called upon, report to the said commissioner, the condition
of such trusts, showing the nature and amount of security
held in each case and the amount of bonds, or other obliga-
tions outstanding and secured thereby, and any such other
information concerning the same as may be by him required
at any time.

Inspection and
supervision by
commissioner.

Semi-annual
report, what to
show.

SEC. 12. Before any corporation organized under the pro-
visions of this act shall engage in the business of receiving
trusts of personal property to secure the payment of bonds,
or other obligations as herein provided, the president, treas-
urer and secretary of the corporation shall execute and file
with the State Treasurer a bond to the people of the State
of Michigan, in the penal sum of fifty thousand dollars, in
such form and with such surety or sureties as shall be

Officers to exe-
cute and file
bond, amount,
where filed,
etc.

approved by the State Treasurer, to secure the faithful performance of the trusts, and such bonds shall enure to the benefit of the holders of any bonds, or obligations secured by any deposits of personal security in trust with such corporation in case such deposits shall be in any manner impaired by the unlawful act or neglect of such corporation or its officers. And no corporation organized under this act shall receive any such trust deposit unless the bond herein provided for shall be on file and in full force.

Penalty for
embezzlement,
etc.

SEC. 13. Every president, director, treasurer, clerk, employee or agent of any corporation organized under this act who embezzles, abstracts or wilfully misapplies any of the moneys, funds, credits or property of such corporation, whether owned by it or held in trust, or who makes any false entry in any book, report or statement of such corporation, with intent in either case, to injure or defraud such corporation or any other company, corporation or person, or to deceive any officer of such corporation or any agent, appointed to examine the affairs of such corporation, or any other person authorized so to do, and any person who, with like intent aids or abets any officer, clerk, employee, or agent in violation of this section, upon conviction thereof shall be imprisoned in the State Prison, or in the State House of Correction and Reformatory at Ionia not to exceed twenty years.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 241.]

AN ACT making appropriations for the Michigan State Normal College for current expenses for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and for building and special purposes for the fiscal year ending June thirty, nineteen hundred eight, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Current
expenses.

SECTION 1. There is hereby appropriated for the current expenses of the Michigan State Normal College for the fiscal year ending June thirty, nineteen hundred eight, the sum of one hundred thirty-five thousand dollars and for the fiscal year ending June thirty, nineteen hundred nine, the sum of one hundred thirty-five thousand dollars.

Special pur-
poses.

SEC. 2. The further sum of forty-one thousand dollars is hereby appropriated for the said institution for the fiscal year ending June thirty, nineteen hundred eight, by purpose

and amounts as follows: For addition to training school building, thirty thousand dollars; for new boilers, two thousand dollars; for immediate increase of facilities for manual training, one thousand dollars; for ventilation of main building, four thousand dollars; for painting buildings, three thousand dollars, and for increased storage facilities for coal, five hundred dollars, and for plans, specifications and estimates for new central heating plant and auditorium, five hundred dollars.

SEC. 3.. It is hereby provided that if the several amounts designated in section two of this act, for any one of the purposes stated, be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in said section, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire forty thousand five hundred dollars available for the purposes stated in said section, if, in the judgment of the State Board of Corrections and Charities and the Auditor General it is deemed advisable to make the transfers for which provision is hereby made. Transfer of funds.

SEC. 4. The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the State Board of Education, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder. How paid out.

SEC. 5. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, for the Michigan State Normal College, the sum of one hundred seventy-five thousand five hundred dollars, and for the year nineteen hundred eight, the sum of one hundred thirty-five thousand five hundred dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated. Tax clause.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 242.]

AN ACT to provide for expense to furnish official information from the records of the Adjutant General's office for which no provision is made, pertaining to the enlistment, muster, history and final disposition of the soldiers and sailors from this State, during the War of the Rebellion and Spanish-American War; to furnish certificates of service to applicants where the soldier's muster out or discharge papers are lost and to furnish such information from the records of the office as to establish the soldier's or sailor's military or naval history and to make an appropriation therefor, and to provide for a tax to meet the same.

The People of the State of Michigan enact:

War history
of soldiers,
etc., by whom
furnished.

Certificates of.

Appropriation
for expenses.

Tax clause.

SECTION 1. The Adjutant General is hereby authorized and directed to furnish the military or naval history of each soldier and sailor, so far as practicable and possible from records of the war and navy department, or other authentic sources, who enlisted from or was credited to this State during the War of the Rebellion and the Spanish-American War; to furnish certificates of the military or naval history of soldiers and sailors whose muster out rolls or discharge papers have been lost, and to provide such other information as may be deemed necessary to establish proofs of identity and correct names whenever requested so to do without expense to the applicant.

SEC. 2. To defray the expense of necessary printing, postage and clerical service for the purpose mentioned in this act, there is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, the sum of one thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of one thousand dollars.

SEC. 3. The Auditor General shall add to and incorporate in the State tax for the year nineteen hundred seven the sum of one thousand dollars, and for the year nineteen hundred eight the sum of one thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 243.]

AN ACT to amend section forty-eight of act number one hundred eighty-three of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May twenty-nine, eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section forty-eight of act number one hundred eighty-three of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," approved May twenty-nine, eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

SEC. 48. In the thirty-fifth circuit the stenographer shall be paid an annual salary of fifteen hundred dollars. Salary in thirty-fifth circuit.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 244.]

AN ACT to protect the title and to regulate the practice of veterinary medicine and surgery in all its various branches in the State of Michigan; providing for a State Veterinary Board and prescribing its duties; regulating existing practitioners; governing under graduates and reciprocity with other states and provinces; prescribing penalties for its violation and repealing all inconsistent acts.

The People of the State of Michigan enact:

SECTION 1. It shall be unlawful for any person to engage or attempt to engage in the practice of veterinary medicine or surgery in any of its various branches, unless he shall comply with the provisions of this act and be duly registered by the State Veterinary Board in the manner hereinafter provided. Unlawful to practice unless registered.

SEC. 2. There shall be a State Veterinary Board, consisting of three members, who shall be residents of this State, and citizens of the United States, and regularly registered veterinary graduates, no two of whom shall be graduates of State veterinary board, qualifications of members of.

Vacancies, by whom filled, term of office.	the same college, and who shall have been in the practice of their profession at least three years prior to their appointment. The members of the State Veterinary Board, appointed under authority of act one hundred ninety-one of the public acts of eighteen hundred ninety-nine shall constitute the State Veterinary Board. The provisions of this act shall in nowise interfere with the tenure of office of the members of the State Veterinary Board heretofore appointed under authority of such act. Accordingly as vacancies shall occur on said board, it shall be the duty of the Governor, on or before April first, annually, to appoint a veterinarian, having the qualifications herein prescribed, and who shall hold office for three years or until his successor is appointed and has qualified.
Organization of board.	<p>SEC. 3. The members of such board shall meet at Lansing on the third Tuesday in August of each year. They shall organize by electing a president, secretary and treasurer. The treasurer shall give bonds in such amount as the said board shall determine. It shall be the duty of the said board to make an annual report to the Governor at the close of each fiscal year, which report shall contain a complete statement and record of all of the official acts of said board, together with a statement of all moneys received and the manner of their disbursement. It shall be the duty of the said board, from time to time, during each year, to provide and furnish to its secretary a list of the regular colleges having a curriculum of at least three years and of at least three sessions of six months each, having the authority to confer the degree of doctor of veterinary medicine, doctor of veterinary science, or doctor of comparative medicine or veterinary surgeon. It shall be the duty of the secretary of said board to issue to each applicant, graduates of said colleges, a temporary permit to practice until the next regular meeting of the board, and to keep on file, in the office of the Secretary of State, his permanent address.</p>
To make annual report, what to contain.	
Secretary to be provided with list of certain colleges.	
Permit to practice, by whom issued.	
Eligibility of certain persons.	<p>SEC. 4. Any person who has practiced veterinary medicine or surgery in their various branches in this State for five years prior to the passage of this act shall be eligible to become registered as an existing practitioner, and entitled to receive a certificate of registration from the State board as such: <i>Provided</i>, That any such person shall, on or before the first day of January, nineteen hundred eight, file with the secretary of State Veterinary Board an affidavit, showing that he has been continuously so engaged and shall also present letters of recommendation from ten reputable freeholders and stock raisers of this State, who shall have employed him, showing him to be qualified to practice veterinary medicine or surgery as above set forth. All those registered under this clause shall not be entitled to use any college degree or any abbreviation thereof. All veterinarians now registered under authority of act one hundred ninety-</p>
Proviso as to filing affidavit, etc.	
Not to use college degree.	
Who known as regular veterinarians.	

one of public acts of eighteen hundred ninety-nine, or entitled to be registered under said act, when registered shall be recognized and known as the Regular Veterinarians. It shall be unlawful for any person except a Regular Veterinarian under the provisions of this act, to use any college degree, or their abbreviations in connection with his name, or profession which might lead the public to believe that he has had a college course of veterinary training: *Provided*, That nothing in this act shall prevent any person from treating his own animal or assisting his neighbor.

Unlawful for certain persons to use college degree.

Proviso as to treating certain animals.

SEC. 5. From and after January first, nineteen hundred eight, it shall be unlawful for any person to practice or attempt to practice veterinary medicine or surgery in any of its various branches, unless he shall be duly registered by the State Veterinary Board. No person shall be registered by the State Veterinary Board as a veterinarian or veterinary surgeon, until he shall have furnished satisfactory proof of his identity and that he is the lawful and regular possessor of a diploma from a regular veterinary college or veterinary department of a State institution of learning or college of medicine having a curriculum of at least three sessions of six months each, and requiring personal attendance of its pupils, and that said diploma was issued by such school or college direct to him: *Provided*, That the provisions of this section shall not be applicable to those persons who are duly registered veterinary surgeons at the time this act takes effect.

Time for practicing limited unless registered.

Registration restricted.

Proviso as to persons registered.

SEC. 6. It shall be unlawful for any person in this State to perform the following named surgical operations upon animals without first administering either local or general anaesthesia: The emasculation of hermaphrodites, the emasculation of mares and female dogs, the operation of fistulous wethers and pollevil, lithotomy and all forms of neurectomy, the Caesarean operation, the operation for umbilical and scrotal hernia and the operation for wind broken horses called laryngio-crycorectomy: *Provided*, That the provisions of this section shall not be governing or apply to dehorning cattle, ordinary animal castration, accidental or minor surgery.

Unlawful to perform certain operations without anaesthesia.

Proviso as to certain cases.

SEC. 7. It shall be the duty of the secretary of the State Veterinary Board to keep a book for the purpose of registering veterinary surgeons of this State. The said secretary shall collect a fee of five dollars for each person registered under the provisions of this act, except that all those persons coming within the provisions of section four shall be registered for, and the secretary shall collect but three dollars.

Book for registering surgeons kept.

Fee for registration.

The fees received by the said secretary shall be turned over by him at each session, to the treasurer of said board, who shall immediately, at the close of each session, pay same into the State treasury to be covered into the general fund. It shall be the duty of the State Veterinary Board to purchase a supply of certificates of registration and to furnish a cer-

Fees, how disposed of.

Certificates of registration, to be displayed, etc.

tificate to each applicant furnishing satisfactory proofs of his identity and qualifications, and upon payment of the fee, in the manner herein provided, which certificate must be conspicuously displayed in his office and shall entitle such applicant to practice veterinary medicine and surgery in all its various branches.

Compensation
of board.

SEC. 8. The members of the State Veterinary Board shall not be entitled to receive any salary, fee, or compensation for their services as such members, except that the secretary shall receive such compensation as the board shall determine, not to exceed fifty dollars per annum. The expenses of such members actually and necessarily incurred in the performance of official duties shall be paid by the State Treasurer upon the warrant of the Auditor General out of any money in the general fund not otherwise appropriated.

Expenses of
board, how
paid.

Students,
when certain,
may practice.

SEC. 9. Any student having attended a recognized veterinary college for six months may, upon the presentation of a certificate of attendance, bearing the college seal, be allowed to practice in the office of and under the instructions of any registered veterinary surgeon in this State to whom he may apply during one summer vacation, or until October following the date of his certificate of attendance and no longer, nor elsewhere as an under graduate.

Michigan to
reciprocate
with other
states.

SEC. 10. Michigan shall reciprocate with other states and provinces in an interstate recognition and exchange of licenses upon a basis of equality of educational standard and mutual recognition, which standard shall not be lower than required by the provisions of this act.

Veterinarians
living in
adjoining
states.

License
granted on
certain
conditions.

SEC. 11. Veterinarians living near the border line of Michigan, in an adjoining state or province, and wishing to practice in this State, shall, before doing so, apply to and receive from the State Veterinary Board a certificate of registration. The State Veterinary Board shall grant such license and issue a certificate upon the payment of the prescribed fees, provided the applicant's educational attainment shall conform to the requirements of the provisions of this act, and the said state or province shall grant a like reciprocity to veterinarians of this State.

Penalty for
violations.

SEC. 12. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished for the first offense by a fine of not less than ten nor more than fifty dollars, and for each subsequent offense shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or be confined in the county jail for not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

Complaints of
violations,
how made.

SEC. 13. Complaints for a violation of this act shall be made to the prosecuting attorney or humane agent of the county in which the offense is committed and the method of procedure shall be the same as in other criminal cases.

SEC. 14. All acts or parts of acts inconsistent with or Acts repealed. contravening the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 245.]

AN ACT making appropriations for the State Board of Geological Survey for special purposes, for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax therefor.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the State Appropriation, amount of. Board of Geological Survey for the fiscal year ending June thirty, nineteen hundred eight, the sum of four thousand dollars for purposes and amounts as follows: For the continu- For biological survey. ance of the biological survey of the plants and animals of the State, as authorized by act two hundred fifty of the public acts of nineteen hundred five, two thousand dollars; for the continuance of the topographical survey of the State with For topographical survey. the United States Geological Survey, in accordance with act two hundred fifty-one of the public acts of nineteen hundred five, three thousand dollars.

SEC. 2. The further sum of one thousand dollars is here- For 1909. by appropriated for the fiscal year ending June thirty, nineteen hundred nine, for the purpose of continuing the topographical survey of the State with the United States Geological Survey: *Provided, however,* That in case the Proviso. United States Government fails to appropriate an amount for the topographical survey, then the sums appropriated by this act for that purpose shall be paid into and become a part of the general fund in the State treasury.

SEC. 3. The several sums appropriated by the provisions How paid. of this act shall be paid out of the State treasury to the treasurer of said board, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

SEC. 4. The Auditor General shall incorporate in the Tax clause. State tax for the year nineteen hundred seven, the sum of five thousand dollars, and for the year nineteen hundred eight, the sum of one thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 246.]

AN ACT making it a misdemeanor to throw any stone, brick or other missile at any passenger train, sleeping car, passenger coach, express car, mail car, baggage car, or any street or trolley car, and providing a penalty therefor.

The People of the State of Michigan enact:

Unlawful to
throw
missile at
train, etc.

Penalty.

SECTION 1. Any person who shall throw any stone, brick or other missile at any passenger train, sleeping car, passenger coach, express car, mail car, baggage car, or at any street car or trolley car, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not to exceed one hundred dollars or by imprisonment in the common jail of not to exceed ninety days, or by both such fine and imprisonment in the discretion of the court.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 247.]

AN ACT to amend sections one, two, three and five of chapter ten of act number one hundred sixty-four of the public acts of eighteen hundred eighty-one, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," and acts amendatory thereof, being compiler's sections four thousand seven hundred forty-six, four thousand seven hundred forty-seven, four thousand seven hundred forty-eight and four thousand seven hundred fifty of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Sections one, two, three and five of chapter ten of act number one hundred sixty-four of the public acts of eighteen hundred eighty-one, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," and acts amendatory thereof, being compiler's sections four thousand seven hundred forty-six, four thousand seven hundred forty-seven, four thousand seven hundred forty-eight and four thousand seven hundred

fifty of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

CHAPTER X.

SECTION 1. Any school district containing more than one hundred children between the ages of five and twenty years, may, by a majority vote of the qualified voters present at any annual or special meeting, organize as a graded school district. The intention to submit the question of the organization of a graded school district shall be expressed in the notice of such annual or special meeting. When such change in the organization of the district shall have been voted, the voters at such annual or special meeting shall proceed immediately to elect by ballot a board of education of five members, one member for the term of one year, two for the term of two years and two for a term of three years, and annually thereafter a successor or successors to the member or members whose term of office shall expire. Any qualified voter in such district whose name appears upon the assessment roll at the time of such election and who is the owner in his own right of the property so assessed, shall be eligible to election or appointment to the office of member of the board of education. In the election of members of the board of education and all other school officers, the person receiving a majority of all the votes shall be declared elected: *Provided*, That all graded school districts organized prior to the year nineteen hundred seven shall operate after the passage of this act under the provisions of this act without reorganization: And *Provided also*, That in all such districts the members of the board of education hereafter elected shall be elected under the provisions of this act.

Graded school district, organization of.

Board of education, election, term, etc.

Eligibility.

Majority vote.

Proviso.

Proviso.

SEC. 2. Within ten days after his election, each member shall file with the secretary of the board an acceptance of the office to which he has been elected, accompanied by an affidavit setting forth the fact of eligibility as described in section one of this chapter. The board of education shall annually, and within fifteen days after the annual meeting, or within fifteen days after the organization under this act, elect from its own number a president, a secretary, and a treasurer, and for cause may remove the same from such offices and may appoint others of their own number in such places, and these officers shall perform the duties prescribed by the general school law for the moderator, director, and treasurer of the district, except as hereinafter provided. The board of education shall have power to fill any vacancy that may occur in its number until the next annual meeting, and if three vacancies occur at the same time, a special meeting of the district shall be called to elect members of the board to fill such places. Within ten days after his appoint-

Acceptance of office.

Organization of board.

Vacancies.

Bond of treasurer.

ment the treasurer of the board shall file with the secretary a bond, either personal or surety, in such sum as the board of education shall approve, not less than double the amount of money to come into his hands during his term of office. If a personal bond is filed there shall be at least two sureties, each of whom shall justify under oath to the full amount of the bond. If a surety bond is purchased it may be at the expense of the district. Whenever, in any case, the board of education shall fail or neglect to elect the officers of the board named in this section within fifteen days next after the annual meeting, or after the organization of the district, the school inspectors of the township or city to which such district makes its annual report shall appoint the said officers from the number of said board.

Inspectors
may appoint
officers of
board.

Board of
education.

To determine
course of
study.

To establish
high school.

Proviso, as to
tuition of
non-residents.

To audit
accounts of
secretary.

To estimate
and vote
amount of
tax.

To employ
superinten-
dent of
schools.

SEC. 3. It shall be the duty of the board of education in any graded school district:

First, To determine the course of study to be pursued and to cause the pupils attending school in such district to be taught in such schools or departments as they may deem expedient;

Second, To establish in such district a high school, when directed by a vote of the district at any annual or special meeting, and to determine the qualifications for admission to such high school and the fees to be paid for tuition by non-resident students: *Provided*, That when non-resident students, their parents or legal guardians shall pay a school tax in said district, the same shall be credited on their tuition a sum not to exceed the amount of such tuition, and they shall only be required to pay tuition for the difference between the amount of the tax and the amount charged for tuition;

Third, To audit and order the payment of all accounts of the secretary for incidentals or other expenses incurred by him in the discharge of his duties; but not more than one hundred dollars shall be expended by the secretary in one year for repairs of buildings or appurtenances of the district property or for necessary appendages without the authority of the board of education;

Fourth, To estimate and vote the amount of tax necessary, in addition to other school funds, for teachers' wages, fuel and incidental expenses, for the ensuing year, and when the voters fail or neglect to vote the same, to estimate and vote the amount of tax necessary for salaries of officers and servants, and when such tax has been voted by the board of education it shall be reported to the assessing officer in the same manner as other taxes of the district are reported;

Fifth, In all villages and cities organized as graded school districts under the provisions of this act, in which districts six or more teachers are employed, to employ a superintendent of schools who shall be the holder of at least a State life certificate or a normal school diploma, or who shall have

educational qualifications equivalent thereto, and said superintendent shall have the following duties:

(a) To recommend in writing all teachers necessary for the schools, and to suspend any teacher for cause until the board of education, or a committee of such board, may consider such suspension; Duties of superintendent.

(b) To classify and control the promotion of pupils;

(c) To recommend to the board the best methods of arranging the course of study and the proper text-books to be used;

(d) To make reports in writing to the board of education and to the superintendent of public instruction annually or oftener if required, in regard to all matters pertaining to the educational interests of the district;

(e) To supervise and direct the work of the teachers;

(f) To assist the board in all matters pertaining to the general welfare of the school and to perform such other duties as the board may determine.

Sixth, To employ all legally qualified teachers necessary for the several schools upon recommendation of the superintendent, and to determine the amount of their compensation, and to require the secretary and president to make contracts with the same on behalf of the district in accordance with the provisions of law governing contracts with teachers: To employ teachers, determine salary of, etc.

Provided, That the board of education may employ a teacher not recommended by the superintendent, or may reinstate a teacher suspended by the superintendent; Proviso.

Seventh, To employ such other officers and servants as may be necessary for the management of the schools and school property, and to prescribe their duties and fix their compensation; To employ other officers.

Eighth, To perform such other duties as are required of district boards in other school districts, or as may be necessary to the general welfare of the school and district. Other duties of board.

Approved June 27, 1907.

[No. 248.]

AN ACT to permit the shooting of wild geese and brant in the county of Chippewa.

The People of the State of Michigan enact:

SECTION 1. It shall be lawful to hunt and kill wild geese and brant in the county of Chippewa from January first to December thirty-first, both inclusive, in each year. Open season for wild geese and brant.

SEC. 2. All acts or parts of acts in conflict with or inconsistent with the provisions of this act are hereby repealed. Repealing clause.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 249.]

AN ACT making it a misdemeanor to taunt or otherwise accuse a person with having been a convict or an inmate of any jail, prison or reformatory, and to provide a punishment therefor.

The People of the State of Michigan enact:

Unlawful to
taunt certain
persons.

Penalty.

SECTION 1. No person shall taunt or otherwise accuse another of having been a convict or an inmate of any jail, prison or reformatory.

SEC. 2. Any person violating any of the provisions of section one of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not to exceed one hundred dollars, or imprisonment in the common jail not to exceed ninety days, or by both such fine and imprisonment in the discretion of the court.

Approved June 27, 1907.

[No. 250.]

AN ACT to authorize the county agent of the State Board of Corrections and Charities to act as first friend and advisor for non-resident paroled prisoners, in certain cases.

The People of the State of Michigan enact:

County agent;
first friend for
certain paroled
prisoners.

Appointment,
who to be
notified of.

Compensation
of agent.

SECTION 1. The county agent of the State Board of Corrections and Charities, in each county, when requested by the Governor, or the Advisory Board in the Matter of Pardons, shall act as the first friend and advisor for non-resident paroled prisoners, while on parole from any of the prisons of this State; and shall, within thirty days after his appointment as county agent, notify the secretary of the board of pardons of his appointment as such county agent.

SEC. 2. Said county agent, when acting as first friend and advisor for any prisoner on parole, shall receive the sum of one dollar each month for each paroled prisoner, while under his care, to be paid from the same fund and in the same manner as his compensation for other services is now paid.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 251.]

AN ACT to provide for the establishment in the office of the Superintendent of Public Instruction of a bureau of information for the benefit of school officers, superintendents and teachers.

The People of the State of Michigan enact:

SECTION 1. The Superintendent of Public Instruction shall establish and maintain in his office a bureau of information wherein teachers desiring employment may register and file such papers as to their qualifications as they may deem fit, and wherein school officers and superintendents may register vacancies in their respective schools. Each teacher so registering shall pay a fee of one dollar to the Superintendent of Public Instruction, which fees shall be deposited with the State Treasurer, and by him placed to the credit of the general fund.

Information bureau, establishing of.

Fee for registering.

SEC. 2. Such information as is contained in said bureau shall be given without charge to all school officers, superintendents and teachers who may ask therefor, but neither the Superintendent of Public Instruction nor any one employed in his office shall be required to recommend any teachers for positions.

Information free.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 252.]

AN ACT to require hair picking machines in upholstering and mattress establishments and other places where hair, moss, tow, or cotton is used for filling.

The People of the State of Michigan enact:

SECTION 1. All persons, companies, or corporations operating any upholstering or mattress establishments or other establishment, factory or place where hair, moss, tow, or cotton is used for filling, shall provide the same with hair picking machines when ordered by the Commissioner or Deputy Commissioner of Labor, which shall be placed in such a position or manner as to carry away the dust arising from or thrown off by such machines while in operation directly to the outside of the building or to some other receptacle established so as to receive and confine such dust, and the same shall be placed within such establishment, place or

Hair picking machines; certain factories to be provided with.

Time limit for placing of.

factory within three months after having been ordered to be so placed by the Commissioner or Deputy Commissioner of Labor.

Penalty.

SEC. 2. Any person or persons or company or managers or directors of any such company or corporation who shall have the charge or management of such establishment, factory, or place, who shall fail to comply with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof in a court of competent jurisdiction, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment in the county jail not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

Approved June 27, 1907.

[No. 253.]

AN ACT to amend section three of act one hundred seventy, public acts of nineteen hundred five, entitled "An act to authorize and regulate the possession, use, transportation and sale of brook trout and rainbow trout by persons engaged in the business of propagating and rearing such fish, and by persons who purchase fish so reared, and to provide for licensing persons engaged in such business or other branch of the same."

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section three of act one hundred seventy, public acts of nineteen hundred five, entitled "An act to authorize and regulate the possession, use, transportation and sale of brook trout and rainbow trout by persons engaged in the business of propagating and rearing such fish, and by persons who purchase fish so reared, and to provide for licensing persons engaged in such business or other branch of the same," is hereby amended to read as follows:

Under-size fish not to be sold.

Proviso as to when may be sold.

SEC. 3. No such fish shall be sold or transported of a size less than seven inches in length, except when such fish are sold and transported alive for the purpose of stocking other waters within or without this State: *Provided*, That such fish may be sold and transported within or without this State at any time under the provisions of this act and not otherwise.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 254.]

AN ACT making appropriations for the State Industrial Home for Girls for building and special purposes and for current expenses for fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax therefor.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the State Industrial Home for Girls, for current expenses, for the fiscal year ending June thirty, nineteen hundred eight, the sum of seventy-two thousand dollars and for the fiscal year ending June thirty, nineteen hundred nine, the sum of seventy thousand dollars. Appropriation for current expenses.

SEC. 2. The further sum of fourteen thousand nine hundred twenty-five dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for purposes and amounts as follows: For an electric light plant, three thousand four hundred fifty dollars; for porches at Clark, Gillespie, Haviland and Croswell cottages, one thousand five hundred dollars; for porch in rear of Palmer cottage, two hundred dollars; for fire protection, stand pipes and reels, six hundred dollars; for painting two cottages and administration building, seven hundred fifty dollars; for repairing and enlarging farm house, eight hundred dollars; for porch on engineer's cottage, three hundred dollars; for wood house for engineer's cottage, one hundred seventy-five dollars; for cement walks, five hundred dollars; for cement floors in administration building and three cottages, five hundred dollars; for new floors in Palmer, Clark, Central, Gillespie and Haviland cottages, one thousand one hundred dollars; shed for farm implements, four hundred seventy-five dollars; one new surrey, one hundred seventy-five dollars; for new plumbing, four hundred dollars and for new assembly hall, four thousand dollars: *Provided*, That if the amount designated for any of the purposes stated in this section be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where a deficiency seems unavoidable, the intent of this proviso being to make the entire fourteen thousand nine hundred twenty-five dollars available for the purposes stated in section two of this act, if in the judgment of the State Board of Corrections and Charities and the Auditor General it is deemed advisable to make the transfers. For specific expenses.

Proviso as to transfer of funds.

SEC. 3. The several sums appropriated by the provisions How paid.

of this act shall be paid out of the State treasury to the treasurer of the State Industrial Home for Girls, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

Tax clause.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of eighty-six thousand nine hundred twenty-five dollars and for the year nineteen hundred eight, the sum of seventy thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 255.]

AN ACT to amend sections one and four of chapter fifty-one of the revised statutes of eighteen hundred forty-six, entitled "Of the destruction of wolves and other noxious animals," being sections five thousand five hundred seventy-one and five thousand five hundred seventy-four of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section amended.

SECTION 1. Sections one and four of chapter fifty-one of the revised statutes of eighteen hundred forty-six, entitled "Of the destruction of wolves and other noxious animals," being sections five thousand five hundred seventy-one and five thousand five hundred seventy-four of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

Bounty for killing wolves.

SEC. 1. Every person who shall kill a full grown wolf, or wolf whelp in any organized county in this State, shall be entitled to a bounty of twenty-five dollars for each wolf over six months old, and ten dollars for each wolf's whelp under the age of three months, to be allowed and paid in the manner hereinafter provided.

Duties of clerk relative to marking pelt, etc.

SEC. 4. If it shall appear to said clerk that the wolf or whelp was taken and killed within some organized township in his county by the person applying for such bounty, he shall make three punch marks through the butt of both ears of such wolf or whelp, large enough to be readily found by examination of such ears, and return such hide or pelt to the owner thereof, and deliver to the person so applying a cer-

tificate of the facts and shall file the original affidavit of said applicant in his office.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 256.]

AN ACT to amend section one of chapter six of act number one hundred sixty-four of the public acts of eighteen hundred eighty-one, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section four thousand seven hundred seventeen of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section one of chapter six of act number one hundred sixty-four of the public acts of eighteen hundred eighty-one, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section four thousand seven hundred seventeen of the Compiled Laws of eighteen hundred ninety-seven, is amended to read as follows: Section amended.

SEC. 1. Any school district may, by a majority vote of the qualified voters of said district present at an annual meeting, or at a special meeting called for that purpose, borrow money, and may issue bonds of the district therefor, to pay for a school house site or sites, and to erect and furnish school buildings. The district board, or board of education, shall estimate the amount of money necessary to be raised and shall state their estimate in the notices of the annual or special meeting, at which the question of borrowing money and issuing bonds shall be submitted to the people; and at said meeting the voters shall have power to ratify by the vote aforesaid the estimate of the district board, or board of education, or to fix a new limit on the amount to be borrowed and for which bonds may be issued: District may borrow money for sites.
Provided, That no school district shall issue bonds for an amount greater than five per cent of the total assessed valuation of said district, and in districts having one hundred or more children in the school census the bonded indebtedness shall not exceed seventy-five dollars per capita of such census, nor shall the bonded indebtedness of a district extend beyond the period of fifteen years for money bor- Board to estimate amount necessary.
May ratify estimate or fix new limit
Proviso as to bond limit.

Proviso as to
conducting
elections.

rowed: *Provided further*, That in all proceedings under this section, the district board and one person selected by the qualified voters present at said meeting shall constitute a board of inspectors, who shall cause a poll list to be kept and a suitable ballot box to be used, and the polls shall be kept open at least two hours. The votes shall be by ballot, either printed or written, or partly printed and partly written, and the canvass of the same shall be conducted in the same manner as at township elections, or as far as the laws governing the same are applicable, and when said laws are not applicable the board of inspectors shall prescribe the manner in which the canvass shall be conducted.

Approved June 27, 1907.

[No. 257.]

AN ACT to repeal act number one hundred thirty-two of the public acts of nineteen hundred five, entitled "An act to provide for the lawful taking of suckers from the waters of Gull lake in Kalamazoo and Barry counties of Michigan."

The People of the State of Michigan enact:

Act repealed.

SECTION 1. Act number one hundred thirty-two of the public acts of nineteen hundred five, entitled "An act to provide for the lawful taking of suckers from the waters of Gull lake in Kalamazoo and Barry counties of Michigan," is hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 258.]

AN ACT making appropriations for the Michigan Home for the Feeble Minded and Epileptic at Lapeer, for current expenses and for building and special purposes, for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Appropriation
for current
expenses.

SECTION 1. There is hereby appropriated for the current expenses of the Michigan Home for the Feeble Minded and Epileptic, for the fiscal year ending June thirty, nineteen hundred eight, the sum of one hundred twenty thousand dol-

lars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of one hundred thirty thousand dollars.

SEC. 2. The further sum of forty-five thousand five hundred dollars is hereby appropriated for building and special purposes for the fiscal year ending June thirty, nineteen hundred eight, for purposes and amounts as follows: For one dormitory, asylum group, twenty-two thousand dollars; furnishings for cottage, three thousand dollars; bakery and machinery, eight thousand dollars; enlargement of farm house, two thousand five hundred dollars; grading, fencing, roads, trees, etc., one thousand dollars; engine and dynamo, seven thousand dollars; fire protection, one thousand dollars; addition to sewer plant, one thousand dollars. For specific expenses.

SEC. 3. The further sum of forty-nine thousand dollars is hereby appropriated for the said institution for the fiscal year ending June thirty, nineteen hundred nine, for purposes and amounts as follows: For one dormitory and dining-room and kitchen, asylum group, forty-two thousand dollars; furnishings for cottage, dining-room and kitchen, four thousand dollars; for coal shed, three thousand dollars. Further specific expenses.

SEC. 4. If the amount designated in sections two and three of this act, for any one of the purposes stated, be insufficient to complete the work or purchase, the surplus remaining after the completion of other work or purchase, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where a deficiency seems unavoidable, the intent of this provision being to make the entire ninety-four thousand five hundred dollars available for the purposes stated in sections two and three of this act. Transfer of funds.

SEC. 5. The several sums appropriated by the provisions of this act shall be paid out of general fund in the State treasury to the treasurer of the Michigan Home for Feeble Minded and Epileptic, at such times and in such amounts as the general accounting laws of the State prescribe and the disbursing officer shall render his account to the Auditor General thereunder. How paid.

SEC. 6. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of one hundred sixty-five thousand five hundred dollars, and for the year nineteen hundred eight, the sum of one hundred seventy-nine thousand dollars, which, when collected, shall be paid into the general fund to reimburse the same for the money hereby appropriated. Tax clause.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 259.]

AN ACT relating to the salaries of officers and agents of life insurance companies.

The People of the State of Michigan enact:

Salaries to officers, etc., limited.

Agreement extending beyond certain period unlawful.

Proviso as to limitation of time.

Pensions, not to be granted.

Acts repealed.

SECTION 1. No domestic life insurance company shall pay any salary, compensation or emolument to any officer, trustee or director thereof, nor any salary, compensation or emolument amounting in any year to more than five thousand dollars to any person, firm or corporation unless such payment be first authorized by a vote of the board of directors of such life insurance company. No such life insurance company shall make any agreement with any of its officers, trustees or salaried employes whereby it agrees that for any services rendered or to be rendered, he shall receive any salary, compensation or emolument that will extend beyond a period of twelve months from the date of such agreement; and no officer, director or trustee, who is paid a salary for his services of more than one hundred dollars per month, shall receive any other compensation or emolument: *Provided*, That the limitation as to time contained herein shall not be construed as preventing a life insurance company from entering into contracts with its agents for the payment of renewal commissions. No such company shall grant any pension to any officer, director or trustee thereof or to any member of his family after his death.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 260.]

AN ACT making appropriations for the State Sanatorium for current expenses and for building and special purposes for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Current expenses.

SECTION 1. There is hereby appropriated for current expenses at the State Sanatorium for the fiscal year ending June thirty, nineteen hundred eight, the sum of eight thousand dollars and for the fiscal year ending June thirty, nineteen hundred nine, the sum of eight thousand dollars.

SEC. 2. The further sum of sixty-two thousand dollars is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight, for purposes and amounts as follows: Building and special purposes.
 For extending main dining-room, two thousand dollars; for three shacks, six thousand dollars; to provide rooms for help, two thousand five hundred dollars; for store-room and ice house, two thousand dollars; for water supply, three thousand dollars; for sewage system, five thousand dollars; for electric wiring, one thousand dollars; for roads and walks, one thousand five hundred dollars; for land, three thousand dollars; for repairs on farm buildings and fences, one thousand five hundred dollars; for furnishings and equipment, three thousand dollars; for horses, harnesses, wagons and buggies, fifteen hundred dollars; for one building, twenty-five thousand dollars; for furnishing said building including laboratory, equipment and supplies, five thousand dollars.

SEC. 3. It is hereby provided that if the several amounts designated in section two of this act, for any one of the purposes stated, be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in said section, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire sixty-two thousand dollars available for the purposes stated in said section, if, in the judgment of the State Board of Corrections and Charities and the Auditor General, it is deemed advisable to make the transfers for which provision is hereby made. Transfer of funds.

SEC. 4. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the treasurer of the State Sanatorium, at such times and in such amounts as the general accounting laws of the State prescribe and the disbursing officer shall render his account to the Auditor General thereunder. How paid out.

SEC. 5. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of seventy thousand dollars and for the year nineteen hundred eight, the sum of eight thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated. Tax clause.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 261.]

AN ACT to make an appropriation to aid the Michigan Corn Improvement Association in the prosecution of its work, and provide a tax to meet the same.

The People of the State of Michigan enact:

Purpose and amount.

SECTION 1. There is hereby appropriated for the use of the Michigan Corn Improvement Association in the prosecution of its work of creating a deeper interest in and a better knowledge of the culture and improvement of corn for each of the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, the sum of five hundred dollars, to be expended under the direction of the board of directors of said association in such way as in its judgment will most effectually attain the ends sought.

How paid out.

SEC. 2. The amount appropriated under the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the Michigan Corn Improvement Association, at such times and in such amounts as the general accounting laws of the State prescribe and the disbursing officer shall render his account to the Auditor General thereunder.

Tax clause.

SEC. 3. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven the sum of five hundred dollars, and for the year nineteen hundred eight the sum of five hundred dollars, which, when collected, shall be credited to the general fund to reimburse the same for the moneys hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 262.]

AN ACT to provide a tax to meet the several appropriations for which a tax is not otherwise provided for the general expenses of the State government, salaries of the State officers, judicial and other expenses of the State departments and expenses of the legislature for the years nineteen hundred seven and nineteen hundred eight.

The People of the State of Michigan enact:

Amount levied for general purposes.

SECTION 1. There shall be levied upon the aggregate of taxable real and personal property of the State in the year nineteen hundred seven the sum of six hundred thousand dollars, and for the year nineteen hundred eight, the sum of

five hundred thousand dollars, to be raised by tax to meet the several appropriations made by law wherein no tax is otherwise provided.

SEC. 2. The several sums appropriated by the provisions of any act to meet which this act provides a tax shall, so far as moneys are required to be paid to the board or officers of any institution or commission, be paid out of the general fund in the State treasury to the proper board or officer, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer of such board or commission shall render his accounts to the Auditor General thereunder. How paid out.

SEC. 3. The Auditor General shall apportion each year the amounts herein directed to be raised among the several counties in this State as provided by law for the apportionment of State taxes. Apportionment of tax.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 263.]

AN ACT to regulate the width of public highways and encroachments thereon, and the setting of poles along such highways.

The People of the State of Michigan enact:

SECTION 1. All public highways for which the right of way has at any time been given or purchased for a highway sixty-six feet wide, shall be and remain sixty-six feet wide, and no encroachments by fences, buildings or otherwise which may have been made since the purchase or gift of such sixty-six feet, nor any encroachments which were within the limits of such sixty-six feet at time of purchase or gift, and no encroachments which may hereafter be made, shall give the party or parties, firm or corporation so encroaching, any title or right to the land so encroached upon. Width of highways.
Encroachments.

SEC. 2. No person or persons, firm or corporation shall have the right to set a pole or poles along the line of any public highway, within twenty-five feet of the center of the highway on either side, without the consent of the township board in the township in which such highway is located and where such pole or poles are to be set; and in no case shall the poles be set within fifteen feet of the center of the highway on either side. Setting of poles.

SEC. 3. Any party or parties, firm or corporation violating any of the provisions of this act, shall, upon demand of the Removal of encroachments or poles.

township highway commissioner of the township in which such highway is located, remove such encroachments or poles. If removal be not made within thirty days after written demand be made by the said highway commissioner, then the said commissioner shall have the right to remove such encroachments or poles, and the party, parties, firm or corporation, so violating, shall be liable for the amount of expense incurred in making such removal.

Approved June 27, 1907.

[No. 264.]

AN ACT to amend section four of act number one hundred fifty of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the establishment and maintenance of a pardoning board, prescribing the powers and duties and repealing all acts and parts of acts in conflict therewith," as amended by act number two hundred thirty-nine of the public acts of nineteen hundred three, being section one hundred forty-four of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section four of act number one hundred fifty of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the establishment and maintenance of a pardoning board, prescribing the powers and duties and repealing all acts and parts of acts in conflict therewith," as amended by act number two hundred thirty-nine of the public acts of nineteen hundred three, being section one hundred forty-four of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Sessions,
when and
where held,
etc.

Proviso,
compensation.

SEC. 4. The said board shall hold its sessions when and where occasion may require and shall have full power to send for persons and papers and administer oaths, in the prosecution of its work: *Provided*, That said board shall not receive compensation for more than two hundred days in each year.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 265.]

AN ACT to authorize the use by the city of Grand Rapids of public highways between the city and Lake Michigan, for water mains to secure to the city water from Lake Michigan and to authorize the taking of private property therefor, and for the establishing of a water plant in connection therewith.

The People of the State of Michigan enact:

SECTION 1. The city of Grand Rapids, through its duly authorized officers and agents, is hereby authorized to enter upon and use any public highway, for the laying and keeping in repair of water mains to establish a source of water supply for the city from Lake Michigan: *Provided*, That the highways shall be opened and the excavations refilled under the supervision of the township board and the highway commissioner of the township affected and according to the reasonable regulations made by said boards, and the city of Grand Rapids shall pay all the expense of such supervision at the rate fixed by law for services of such officers: And *Provided further*, That such mains shall be so laid as not to unreasonably interfere with travel and when so laid the highway shall be placed by the city in as good condition as before.

Authority to use public highway for water mains.

Proviso, supervision by townships affected.

Further proviso.

SEC. 2. Where it shall be found necessary by the board of public works and common council of the city of Grand Rapids to take private property for the establishment of a plant or source of supply of water from Lake Michigan, including the laying of water mains or laterals and maintenance and operation of the same at any point from the limits of said city to Lake Michigan, the ownership therein and thereto may be acquired by the city, in the manner provided for the taking of private property for public use in chapter ninety of the Compiled Laws of eighteen hundred ninety-seven: *Provided*, That this section shall not apply in the townships of Walker and Wyoming in the county of Kent, and State of Michigan, for reservoir purposes.

Taking of private property.

Law governing.

Proviso, townships excepted.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 266.]

AN ACT to amend section one of act number two hundred thirty-two of the public acts of nineteen hundred one, entitled "An act to extend aid to the Michigan Agricultural College," as amended by act number three hundred three of the public acts of nineteen hundred five.

The People of the State of Michigan enact

Section
amended.

SECTION 1. Section one of act number two hundred two of the public acts of nineteen hundred one, entitled "An act to extend aid to the Michigan Agricultural College," as amended by act number three hundred three of the public acts of nineteen hundred five, is hereby amended to read as follows:

One-tenth
mill tax
assessed.

SEC. 1. There shall be assessed in the year nineteen hundred one and each year thereafter, upon the taxable property of the State, as fixed by the State Board of Equalization, the sum of one-tenth of a mill on each dollar of said property for the year nineteen hundred one and each five years thereafter for the use and maintenance of the Michigan Agricultural College, the Upper Peninsula Experiment Station, and other experiment stations as have been already established. *Provided*, That the sum of one-tenth of a mill on each dollar of said property is hereby appropriated for the purpose of improving, experimenting with, and exhibiting the livestock and poultry of the Michigan Agricultural College for the biennial period ending June thirty, nineteen hundred nine, the sum of twenty thousand dollars, to be expended under the direction of the State Board of Agriculture in such a way as in its opinion will best improve the livestock interests of the State. *Provided, further*, That out of the said sum of twenty thousand dollars hereby appropriated there shall be expended five thousand dollars for the purpose of providing buildings for improving, experimenting with, and exhibiting poultry in supporting and encouraging poultry raising in the State. The State Board of Agriculture, shall, also, in addition to the purposes above mentioned devote annually such portion of the aforesaid one-tenth of a mill tax as it may deem proper for the purpose of improving, experimenting with, and exhibiting livestock and poultry and for conducting and physical examinations of the various soils of the State and making proper surveys and maps of the same. The State Board of Agriculture shall make an annual report to the Governor of the State of all the receipts and expenditures of the Michigan Agricultural College, the Upper Peninsula Experiment Station and such other experiment stations as have been established.

Proviso.

Further
proviso.

Livestock,
poultry, soil
examination,
surveys, etc.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 267.]

AN ACT to regulate and license the use of firearms in hunting for and killing any game birds and animals protected by the laws of this State, except deer, and to provide a penalty for its violation.

The People of the State of Michigan enact:

SECTION 1. It shall not be lawful for any non-resident person to hunt for or kill any game birds or animals protected by the laws of this State, except deer, without first obtaining a hunter's license, permitting him to do so. Non-resident to procure license.

SEC. 2. Any non-resident of this State may procure a hunter's license, by filing his affidavit or affidavits with the clerk of the county or one of the counties in which he proposes to hunt, stating his name, age, place of residence, post-office address, color of his hair and eyes and the county or counties in which he proposes to hunt and the fact of whether he can or cannot write his own name, and paying to said clerk the sum of ten dollars for a hunter's license, required by this section. How procured, fee.

SEC. 3. Such license shall be dated when issued and such hunter's license shall authorize the person named therein to use firearms in hunting for or killing any of the game birds or animals except deer of this State during the open season for hunting such birds or animals, of that year, but only in the manner and at the times provided by law: *Provided*, That nothing in this act or in the license issued thereunder shall be so construed as to permit the hunting or killing of any animals in any county or portion of this State, where the hunting, or killing thereof is prohibited by law. Such licenses shall be prepared by the Secretary of State, and in form substantially like licenses required for deer hunting, under the provisions of act number two hundred sixty-eight of the public acts of eighteen hundred ninety-seven, being sections five thousand seven hundred ninety-two to five thousand eight hundred and three inclusive of the Compiled Laws of eighteen hundred ninety-seven, except that there shall be no coupons thereon. And all provisions of said act, relative to the issuing of licenses, the printing and furnishing of same, penalty for procuring a license by false swearing and for illegally issuing licenses and all the other parts of said act, not inconsistent herewith, shall apply to the making, securing and using of licenses hereunder. When dated, what to authorize, etc. Proviso, protected counties. Licenses, by whom prepared.

SEC. 4. Such clerk shall retain for his own use out of the money received for each hunter's license issued, the sum of twenty-five cents which shall cover the swearing of the applicant to the affidavit referred to herein and all other services under this act and shall pay the balance to the county treasurer of his county on the first day of March, May, September Disposition of moneys.

and December of each year, specifying the amount received for non-resident licenses, and the county treasurer shall forthwith forward to the State Treasurer all moneys so received by him and such moneys shall be paid out by the Auditor General, on his warrant only for the same purposes for which money received for deer licenses, under the laws of this State, is paid.

Transportation of game.

SEC. 5. It shall not be lawful for any transportation company to transport any game birds or animals from one place to another in this State, unless the shipper shall produce his license as provided in this act and the agent of any such company shall endorse on the back of such license, the number and kind of birds or animals shipped and the date of such shipment: *Provided, however,* That nothing in this section contained shall apply to the interstate shipment of wild ducks or other migratory birds as provided for in section twenty-seven of act number two hundred fifty-seven of the public acts of the State of Michigan of nineteen hundred five.

Proviso.

Refusal to show license.

SEC. 6. Any non-resident person found hunting any game birds or animals protected by the laws of this State, with any kind of firearms, who shall refuse to show his license herein provided for, to any sheriff, deputy sheriff, constable, game warden, deputy game warden or county game warden, on demand, shall be deemed and held to be guilty of violating the provisions of this section in addition to violating any of the other provisions of this act and may be punished upon conviction for such refusal, as hereinafter provided.

When act not applicable.

SEC. 7. The provisions of this act, relative to procuring and using a hunter's license shall not apply to persons hunting on their own land.

Penalty for violation.

SEC. 8. Any person or persons violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine not exceeding fifty dollars and costs of prosecution, or by imprisonment in the county jail not exceeding sixty days, or both such fine and imprisonment, in the discretion of the court, and the court shall sentence the offender to be confined in the county jail until such fines and costs are paid, for any period not exceeding sixty days, and in all cases where a fine and imprisonment is imposed; the sentence shall provide that if the fine and costs are not paid at the time such imprisonment expires, the person serving out such sentence shall be further detained in said jail until such fine and costs are paid, for any period in the discretion of the court, not exceeding ninety days.

Approved June 27, 1907.

[No. 268.]

AN ACT to authorize townships, villages and cities in any county, to form themselves into a good roads district, and to operate under the provisions of the county road law.

The People of the State of Michigan enact:

SECTION 1. Any two or more organized townships, or any one or more townships, and one or more villages, or one or more townships and one or more cities, or any combination of townships, villages or cities lying contiguous in any county, are hereby authorized to form themselves into a district to be known as a good roads district, and such district shall operate under the provisions of the county road law, except as herein otherwise provided.

Good roads districts, how may be formed.

SEC. 2. On petition of not less than ten freeholders of each organized township, incorporated village and city which is desirous of joining in a good roads district, the board of supervisors shall submit the question of adopting such system, to a vote of the electors of such townships, villages and cities, so petitioning, not later than at the next general election. Such vote may be taken at a special election called for that purpose, or at a general election, and the following form of resolution shall be sufficient for submitting the question, viz.: "Resolved, That the question of adopting the good roads district system be submitted to a vote of the electors of the (townships of, villages of cities of) of the county of at (the general or special election) to be held on the day of, nineteen hundred" If a special election is to be called, a clause added to the resolution in form following shall be sufficient for that purpose, viz.: "And a special election is hereby called to be held in the several townships and wards of said county as above set forth, on the day last aforesaid, for the purpose of taking such vote."

Question of forming, submitted to electors, when.

Resolution for submitting question, form of.

SEC. 3. After the adoption of the resolution by the board of supervisors, the county clerk shall give notice thereof to the several townships, incorporated villages and cities petitioning to form such district, in the form of a handbill to be posted in three or more public places in each township and ward, and by publication in a newspaper or newspapers having a general circulation throughout such district. Ballots shall be prepared and distributed by the same officers as is provided by law for general elections. At the time mentioned in such resolution such election shall be held and the vote taken accordingly: *Provided*, That no township, village or city, not petitioning to form and become a part of such road district, shall vote upon the question of adopting such system.

Notice of adoption of resolution, how published.

Ballots, how prepared, etc.

Election.

Proviso as to restriction of vote.

Adoption of
good roads
system.

SEC. 4. If upon the canvass of the votes cast on such question at such election, it shall appear that a majority voting thereon, is in favor thereof, then the good roads system shall be considered as adopted in such district, and thereupon the provisions of this act and of the county road law, shall be and become operative in such district.

Board of
good roads
commissioners,
powers and
duties.

SEC. 5. In each township, incorporated village and city belonging to such district, shall be elected one good roads commissioner, which commissioners shall constitute a board of good roads commissioners, who will have the same rights, powers, obligations and duties in the good roads district as county road commissioners under the county road law. The terms of office of such good roads commissioners shall be two years, and their compensation shall be fixed by the board of supervisors. In the first instance, or in case of a vacancy in the office of any good roads commissioner, such office shall be filled by appointment by the township board, village or city council, as the case may be. The county clerk and county treasurer shall officiate the same for the district so formed as is provided by law in case of the adoption of the county road system.

Certain
county officers
to officiate.

When town-
ships, etc.,
contiguous to
good roads
district may
become part.

SEC. 6. In any county in which a good roads district may be formed it shall be the privilege of any organized township, incorporated village or city, lying contiguous to but not already belonging to such good roads district, to become a part of the same whenever such township, village or city shall so decide by a majority vote of the electors of such township, village or city, voting thereon, at a general or special election. Upon petition of ten or more freeholders residing in any such township, village or city, it shall be the duty of the township board, village or city council, as the case may be, to provide for the holding of such election, at a date not later than the next general election.

Provision for
election.

Tax, amount
of, when
and by whom
determined.

SEC. 7. On or before the first day of October of each year, the said board of good roads commissioners shall determine upon the amount of tax which, in their judgment, should be raised for such year in the district, which tax shall not exceed two dollars upon each one thousand dollars valuation of said district, according to the assessment roll of the last preceding year. At the annual meeting of the board of supervisors, held in October, the county clerk shall lay such determination before the board of supervisors and the board of supervisors shall pass upon the said determination and decide upon the amount to be raised, which shall not be less than that determined upon by the said board of good roads commissioners, excepting by a two-thirds vote of the members of said board of supervisors. After the said board of supervisors shall have decided upon the amount of tax to be raised, the said board of supervisors shall apportion such tax between the several districts, villages and cities of said good roads district, according to their assessed valuation. The supervisors or other assessing officers shall levy and ap-

Final decision
as to amount
of tax.

Apportion-
ment of tax,
by board.

By supervisor.

portion the tax so apportioned to their respective townships, villages and cities, upon the tax rolls of such townships, villages and cities. The tax so assessed shall be collected and paid to the county treasurer to be by him kept in a separate account, and to be paid out only upon the order of said board of good roads commissioners, signed by the chairman and countersigned by the clerk. All moneys belonging to said good roads district shall be expended by the good roads commissioners in the said good roads district exclusively for the purposes mentioned, and provided for under the county road law.

Collection of
tax, orders,
how drawn.

Sec. 8. No portion of any county now under the provisions of the county road law shall adopt the provisions of this act, and should any county in which a good roads district be formed, afterwards adopt the county road system, such good roads district shall be forthwith dissolved, excepting for the purpose of completing work then under contract. Any funds remaining in the county treasury, or thereafter paid therein, to the credit of the good roads district fund shall be returned to the highway funds of the different townships, villages and cities composing such good roads district, in the proportion in which the good roads district tax was paid by them for the last preceding year. Any good roads district which may have built roads and made improvements under such district system, prior to the adoption of the county road system by the county in which such district is located, shall not, without their consent by a majority vote, be liable for any tax until their proportionate county road system tax shall equal the amount expended by said good roads district: *Provided*, That the terms of this act shall not apply to the counties of Marquette, Menominee and Dickinson.

Good roads
district, when
dissolved.

Funds credited
to, how
apportioned,
etc.

When not
liable for tax.

Proviso as to
certain
counties.

This act is ordered to take immediate effect.
Approved June 27, 1907.

[No. 269.]

AN ACT to amend section one of act number one hundred twenty-nine of the public acts of eighteen hundred eighty-nine, being an act relative to a board of jury commissioners in Wayne county, as last amended by act number two hundred eleven of the public acts of nineteen hundred one, approved June six, nineteen hundred one.

The People of the State of Michigan enact:

SECTION 1. Section one of act number one hundred twenty-nine of the public acts of eighteen hundred eighty-nine,

Section
amended.

being an act relative to a board of jury commissioners in Wayne county, as last amended by act number two hundred eleven of the public acts of nineteen hundred one, approved June six, nineteen hundred one, is hereby amended to read as follows:

Board of jury commissioners, term of.	SEC. 1. There shall be a board of jury commissioners for Wayne county consisting of seven qualified electors, who shall be appointed by the Governor with the consent of the Senate, two of whom shall hold office for two years, two for four years and three for six years from the first of May, eighteen hundred ninety-three, and when the term of office of any commissioner shall expire, commissioners thereafter appointed shall hold their office for a term of six years. Appointments to fill vacancies that may occur may be made by the Governor when the legislature is not in session, and the person or persons so appointed shall, unless their time sooner expires, hold their office until the close of the session of the legislature next following such appointment. Five members of said board shall be residents of the city of Detroit, and the other two members shall reside outside the limits of the city and within said county. The official terms of said commissioners shall commence on the first day of May, and they shall hold their office for the term of six years. Said commissioners before entering upon the discharge of their duties, shall take and subscribe the oath of office prescribed by the constitution, and file the same in the office of the county clerk. They shall elect one of their number president, and shall appoint a secretary who shall keep a record of their proceedings. The commissioners shall receive two dollars and fifty cents for each day's service, and mileage for their traveling expenses while in the actual performance of their duties at the rate of ten cents per mile, but the total compensation paid any of said commissioners, not including mileage, shall not exceed pay for more than forty meetings in any one year. The secretary shall receive such compensation as shall be certified by said board, or a majority of its members as suitable and proper, to the county auditors, and to be paid by the county, but not exceeding three hundred fifty dollars per annum.
Vacancies, how filled.	
Representation.	
Official terms.	
Oath.	
President, etc.	
Compensation.	
Of secretary.	

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 270.]

AN ACT to amend section forty-six of act number one hundred eighty-three of the public acts of the State of Michigan of eighteen hundred ninety-seven, approved May twenty-nine, eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," being compiler's section four hundred eight of the Compiled Laws of Michigan of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section forty-six of act number one hundred eighty-three of the public acts of the State of Michigan of eighteen hundred ninety-seven, approved May twenty-nine, eighteen hundred ninety-seven, entitled "An act to provide for the appointment and to fix the term of office, duties and compensation of circuit court stenographers in the State of Michigan," being compiler's section four hundred eight of the Compiled Laws of Michigan of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

Sec. 46. In the thirty-third circuit the stenographer shall be paid an annual salary of seventeen hundred dollars. Salary, thirty-third circuit.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 271.]

AN ACT to provide for the placing of cases upon the docket of the circuit court for the county of St. Clair, and to amend the present practice in relation to the same.

The People of the State of Michigan enact:

SECTION 1. Whenever any cause at law or in chancery, pending in the circuit court for the county of St. Clair, shall be at issue as to all the parties, or when a return to any appeal shall be filed in said court, it shall be the duty of the clerk of the said court to place the same upon the calendar for the next ensuing term of said court, in its appropriate place, and to thereafter place said cause, unless it be sooner disposed of, upon the calendar for each succeeding term of said court, for eight successive terms: *Provided*, That the clerk shall not place upon the calendar for any term, any cause which shall not have been at issue, or in which return shall not have been filed for at least fourteen days prior to Duty of clerk.

Proviso, causes not to be placed on calendar.

Further
proviso.

the first day of said term: *Provided further*, That no cause shall be placed upon the calendar by said clerk that has been at issue for a period of more than three years, except as herein otherwise provided.

Notice of
trial, note of
issue, un-
necessary.

SEC. 2. After the taking effect of this act, it shall not be necessary to serve notice of trial, nor to file note of issue with the clerk, in any cause pending in said circuit court.

Causes,
when stricken
from docket.

SEC. 3. Whenever any cause shall have been on the docket of the circuit court for eight terms of court, the same shall be stricken from the docket and shall not again be placed thereon by the clerk at any subsequent term, unless the attorney or solicitor for one of the parties shall make and file an affidavit with the clerk to the effect that the case is ready for trial, and that it is his bona fide intention to bring the same on for trial at the term for which he asks it to be replaced upon the docket.

Causes at
issue for
period over
three years.

SEC. 4. Any cause or proceeding in said court which shall have been at issue for a period of more than three years prior to the taking of effect of this act, may be noticed for trial in the manner now provided by the rules and statutes, in which event such cause or causes shall be placed upon the calendar by the clerk of said court, and thereafter shall be by said court placed upon each successive calendar without notice for eight successive terms, after which it shall be subject to the provisions of section three of this act.

Calendar,
printed
copies of.

SEC. 5. The clerk shall cause printed copies of said calendar to be provided, and at least ten days prior to the first day of each term of said court, shall mail or deliver a copy of said calendar to each attorney or firm of attorneys representing any party in any action or proceeding that is upon the calendar.

Intent of
act.
Repealing
clause.

SEC. 6. This act is not intended to affect the taxation of costs in relation to the matter of term fees. All acts or parts of acts inconsistent with this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 272.]

AN ACT to provide for a convention for the purpose of making a general revision of the constitution.

The People of the State of Michigan enact:

Special
election.

SECTION 1. At a special election to be held on the third Tuesday in September, nineteen hundred seven, delegates shall be elected to meet in convention for the purpose of making a general revision of the constitution of the State of Michigan.

SEC. 2. The number of delegates to such convention shall be ninety-six consisting of three delegates from each senatorial district in this State as now existing. Each person entitled by law to vote for members of the legislature, shall be entitled to vote at the election provided for in section one of this act, for three delegates to the constitutional convention hereinafter provided for. The three persons receiving the highest number of votes for delegates to the constitutional convention in each senatorial district shall be elected delegates.

Delegates,
number of.Who entitled
to vote.Who de-
clared
elected.

SEC. 3. Candidates of all parties for delegates to said convention in every senatorial district in this State, shall be nominated on the second Tuesday in August, nineteen hundred seven. In every senatorial district where in nineteen hundred six, in the nomination of a senator, at least one political party adopted and operated under the direct nominating system provided for in act number one hundred eighty-one of the public acts of nineteen hundred five, or under any local primary law, the candidates of all political parties for delegates to the constitutional convention shall be nominated in the same way: *Provided*, That the provisions of chapter two of act one hundred eighty-one of the public acts of nineteen hundred five relating to party enrollment, shall not apply to nor be in force at such primary election, but every qualified elector shall have the right to receive from the inspectors, and vote, the party ticket he prefers without regard to any party enrollment, the general registration books of each election district being used at such primary election in place of the enrollment books: *And Provided further*, That to obtain the printing of the name of any candidate of any political party for delegate to such convention on the ballot of his party at such primary election, there shall be filed with the Secretary of State, nomination papers, signed by at least one hundred qualified electors which shall recite that said signers are of the political party to which the candidate belongs, and who reside in the senatorial district in which such candidate resides: *Provided*, That in districts wholly within one county such nomination papers shall be filed with the county clerk of said county. The Secretary of State shall furnish to the county clerk of each county in the State, which, under the provisions of this act, must operate under the direct nomination system, a sufficient quantity of printed forms for such nomination papers, following substantially the form prescribed in section two of chapter five of act number one hundred eighty-one of the public acts of nineteen hundred five. Nomination papers filed in accordance herewith shall be received up to four o'clock in the afternoon of July twenty-third, nineteen hundred seven, preceding such primary election. Where nomination papers are required to be filed with the Secretary of State, he shall forthwith prepare and certify to the board of election commissioners of each county which, under the provisions of this act, must

Candidates,
when nomi-
nated.Direct nom-
inating sys-
tem, where to
apply.Proviso,
party enroll-
ment not to
apply.Registration
books to be
used.Further pro-
viso, print-
ing of name
of candidate.Nomination
papers, where
filed, etc.Proviso, dis-
tricts wholly
within one
county.Printed
forms, when
furnished.

Date received.

When names
of candidates
certified to
commission-
ers.

Duty of county clerks and election commissioners.	operate under the direct nomination system, the names of all candidates mentioned in said nomination papers, together with the name of the party. The various county clerks and county boards of election commissioners shall then proceed as directed in sections three, four and five of chapter five of act number one hundred eighty-one of the public acts of nineteen hundred five. The returns of said primary election shall be canvassed and the results declared in the same manner and by the same officers as is provided by the general law for canvassing the returns of and declaring the result in general elections; and all the elections for the nomination of delegates shall be conducted, canvassed, certified and returned in the manner now provided by law for the nomination of candidates for senator in the State legislature, as nearly as may be: <i>Provided</i> , That in senatorial districts, the limits of which shall be greater than those of a county, the board of district canvassers shall meet on the twenty-seventh day of August, nineteen hundred seven, for the purpose of canvassing the returns of such primary election. The three persons on each party ticket receiving the largest number of votes shall be the nominees of such party. In senatorial districts where in nineteen hundred six no political party adopted and used act number one hundred eighty-one of the public acts of nineteen hundred five in the nomination of candidates for senator in the State legislature the candidates of all political parties for delegates to the constitutional convention shall be nominated by a delegate convention called by the senatorial committee of each political party in the usual manner. The names of the three candidates nominated by each or any political party in each senatorial district in this State as herein provided, shall be printed upon the official ballots of the various political parties at the election provided for in section one of this act.
Primary election, canvass, etc.	
Elections for nomination, how governed.	
Proviso, certain senatorial districts.	
Nominees, who declared.	
Delegate convention called in certain districts.	
Names printed on official ballot.	
Law governing nomination of delegates.	SEC. 4. All laws, not inconsistent with this act, regulating the nomination of candidates for State senator to be elected at a general election, shall be applicable to the nomination of delegates to the constitutional convention. All laws not inconsistent with this act, regulating the printing of the ballots and the canvass of the votes for State senator at a general election, shall be applicable to the printing of the ballots and canvass of the votes for delegates to the constitutional convention. <i>Provided</i> , That in senatorial districts, the limits of which shall be greater than those of the county, the board of district canvassers shall meet for the purpose of canvassing the vote on delegates to the constitutional convention on the first day of October, nineteen hundred seven. All laws not inconsistent with this act, regulating the election of public officers at general elections, shall be applicable to the election of delegates to such convention, except as herein otherwise provided.
Printing of ballots, etc.	
Proviso, canvass of delegates in certain districts.	
Election of delegates.	
Delegate, who eligible.	SEC. 5. The electors may elect as a delegate any male citizen of this State above the age of twenty-one years, who is a

resident of the district in which he is chosen. In case a vacancy occurs by reason of death, resignation or otherwise, the Governor may appoint some duly qualified resident of such district to fill such vacancy, and the person so appointed shall, by virtue of such appointment, be a member of the said convention, entitled to the same compensation, and in all respects have the same rights as if he had been originally elected a delegate.

Vacancies,
how filled.

Sec. 6. The delegates so chosen shall meet in convention in the hall of the House of Representatives in the capitol in the city of Lansing, on the fourth Tuesday in October, nineteen hundred seven, at eleven o'clock in the forenoon. A majority of the delegates elect shall constitute a quorum for the transaction of business, but a smaller number shall have the power to adjourn from day to day and compel the attendance of absent members. The convention shall organize by the election of one of their own number as president and one as president pro tem. They shall also choose such secretaries, sergeants-at-arms, clerks, an official stenographer, who shall choose his assistants, messengers and other attendants as they may deem necessary for the proper transaction of business. They shall adopt their own rules of order, shall be the absolute judges of the election, qualification and return of their own members and may punish for contempt by fine or imprisonment in their discretion, but no term of imprisonment shall continue beyond the date of the final adjournment of the convention. The convention shall have power to fix the duties and compensation of its officers and employes. The compensation of the delegates of said convention shall be ten dollars per day during the session of the convention, and ten cents per mile for every mile traveled by the nearest practicable route in going to and returning from the place of holding the convention, but no per diem shall be paid for any services rendered after January thirty-first, nineteen hundred eight. The compensation of the delegates and of the officers and employes of the convention and all incidental expenses of the convention shall be paid in the same manner as provided by law for the payment of similar claims in the legislature. The delegates and the convention shall be supplied all needful stationery in the manner provided in the case of the legislature. It shall be the duty of the Secretary of State to attend said convention at the opening thereof, to call the roll thereof according to the returns on file in his office, which shall be certified to the convention by him, to administer the constitutional oath of office to the members, and to preside at all meetings thereof until a president has been elected and has taken his seat; but the Secretary of State shall have no vote therein. All public officers, civil and military, and all boards and commissioners shall promptly furnish said convention with all such information, papers, statements, books or other public documents in their possession as the said convention

Delegates
chosen, when
and where
to meet.

Quorum.

Organization.

Adoption of
rules, etc.

Compensation.

How paid.

Stationery.

Secretary of
State, duty of.

Co-operation
of public
officers, etc.

shall order or require for its use, from time to time, while in session.

Journal of proceedings.

When published, deemed official record.

Paper, stationery, printing, etc., audit of.

Quarters, preparation of.

Doors open to public.

Draft of new constitution, printing and presentation of.

Submission to electors.

Who may vote.

Ballot, form of.

Vote, how declared.

False swearing.

SEC. 7. A journal of the proceedings of said convention shall be kept and printed daily and given to each member; this journal may be mailed by the secretary to any person who may request it. The journals and debates of the convention shall be published in such form and style as may be determined by the convention, and when so published they shall be deemed the official records of such convention. All claims for paper, stationery, printing and binding shall be audited, allowed and paid by the Board of State Auditors in the manner provided by law and contracts therefor. The Board of State Auditors, previous to the meeting of the convention, shall prepare the Hall of Representatives and the Senate Chamber and the rooms connected therewith, for the use and occupation of the convention during its session. The doors of the convention shall be kept open to the public during all of its sessions. Every delegate to the convention shall in all cases, except treason, felony or breach of the peace, be privileged from arrest. They shall not be subject to any civil process during the session of the convention, or for fifteen days next before the commencement and after the final adjournment of the same. For any speech or debate in the convention, the members shall not be questioned in any other place.

SEC. 8. After the convention shall have approved the draft of the proposed new constitution, the same shall be printed in the same manner as acts of the legislature for presentation to the Governor, shall be signed by the president and secretary, and, when so signed, shall be deposited in the office of the Secretary of State, and shall be deemed the official copy of the proposed constitution as adopted by the convention. The revised constitution shall be submitted by the convention to the people for adoption or rejection as a whole, on the first Monday in April, nineteen hundred eight. Every person entitled to vote for members of the legislature at a general election may vote on such adoption or rejection; and the board of election commissioners in each county in this State shall cause to be printed, in an appropriate place on the ballot prepared for the purpose, the words:

"Adoption of the Revised Constitution, () Yes."

"Adoption of the Revised Constitution, () No."

Should the revised constitution so submitted to a vote of the electors of this State receive more votes in its favor than shall be cast against it, it shall be declared adopted as the constitution of this State, otherwise it shall be rejected, and all votes cast at such election shall be taken, counted, canvassed and returned as provided by law for the election of State officers.

SEC. 9. All wilful and corrupt false swearing, in taking any of the oaths prescribed by this act, or by the laws of this State made applicable to this act, or in any other mode

or form in carrying into effect this act, shall be punished in the manner now prescribed by law for wilful and corrupt perjury.

SEC. 10. The convention shall, before its adjournment, prepare and adopt an address to the people of the State, explaining the proposed changes in the present constitution, the reasons for each change, and such other matters as to the convention shall seem advisable. Not less than three hundred thousand copies of this address, in pamphlet form, containing the full text of the revised constitution, shall be printed and distributed as the convention shall direct. The Board of State Auditors is hereby authorized to publish the above address, together with the full text of the revised constitution, in one newspaper in each county in the State having one, at an expense not to exceed fifteen dollars each, choosing for this purpose in each county one of the newspapers having the largest circulation.

Address, explaining changes.

Copies for distribution, etc.

Publication in each county.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 273.]

AN ACT to divide the State of Michigan into thirty-two senatorial districts.

The People of the State of Michigan enact:

SECTION 1. The State of Michigan shall be divided into thirty-two senatorial districts, and each district shall be entitled to elect one senator, and the districts shall be constituted and numbered as follows:

Senatorial districts.

The first district shall consist of the eleventh, thirteenth, fifteenth and seventeenth wards of Detroit and the townships of Gratiot, Greenfield, Grosse Pointe, Hamtramck, Livonia, Plymouth, Northville and Redford;

The second district shall consist of the fifth, seventh and ninth wards of Detroit;

The third district shall consist of the first, second, third, fourth and sixth wards of Detroit;

The fourth district shall consist of the eighth, tenth, twelfth and fourteenth wards of Detroit;

The fifth district shall consist of the sixteenth and eighteenth wards of Detroit and the townships of Springwells, Brownstown, Canton, Dearborn, Ecorse, Huron, Monguagon, Nankin, Romulus, Sumpter, Taylor, Van Buren and city of Wyandotte, in the county of Wayne;

The sixth district shall consist of the counties of Kalamazoo and St. Joseph;

The seventh district shall consist of the counties of Berrien and Cass;

The eighth district shall consist of the counties of Allegan and Van Buren;

The ninth district shall consist of the counties of Calhoun and Branch;

The tenth district shall consist of the counties of Jackson and Hillsdale;

The eleventh district shall consist of the counties of St. Clair and Macomb;

The twelfth district shall consist of the counties of Oakland and Washtenaw;

The thirteenth district shall consist of the counties of Genesee and Livingston;

The fourteenth district shall consist of the counties of Ingham and Shiawassee;

The fifteenth district shall consist of the counties of Barry, Eaton and Clinton;

The sixteenth district shall consist of the first, second, third, fourth, fifth, tenth, eleventh and twelfth wards of the city of Grand Rapids in the county of Kent;

The seventeenth district shall consist of the sixth, seventh, eighth and ninth wards of the city of Grand Rapids and the townships of Tyrone, Solon, Nelson, Spencer, Sparta, Algoma, Courtland, Oakland, Alpine, Plainfield, Cannon, Grattan, Walker, Grand Rapids, Ada, Vergennes, Wyoming, Paris, Cascade, Lowell, Byron, Gaines, Caledonia and Bowne in the county of Kent;

The eighteenth district shall consist of the counties of Ionia and Montcalm;

The nineteenth district shall consist of the counties of Monroe and Lenawee;

The twentieth district shall consist of the counties of Huron and Sanilac;

The twenty-first district shall consist of the counties of Tuscola and Lapeer;

The twenty-second district shall consist of the county of Saginaw;

The twenty-third district shall consist of the counties of Muskegon and Ottawa;

The twenty-fourth district shall consist of the counties of Midland and Bay;

The twenty-fifth district shall consist of the counties of Mecosta, Isabella and Gratiot;

The twenty-sixth district shall consist of the counties of Manistee, Mason, Lake, Oceana and Newaygo;

The twenty-seventh district shall consist of the counties of Antrim, Kalkaska, Missaukee, Wexford, Grand Traverse, Leelanau and Benzie;

The twenty-eighth district shall consist of the counties of Alcona, Oscoda, Crawford, Iosco, Ogemaw, Roscommon, Arenac, Gladwin, Clare and Osceola;

The twenty-ninth district shall consist of the counties of

Cheboygan, Presque Isle, Alpena, Emmet, Charlevoix, Otsego and Montmorency;

The thirtieth district shall consist of the counties of Menominee, Delta, Schoolcraft, Luce, Mackinac and Chippewa;

The thirty-first district shall consist of the counties of Gogebic, Iron, Marquette, Dickinson and Alger;

The thirty-second district shall consist of the counties of Ontonagon, Houghton, Keweenaw and Baraga.

SEC. 2. The election returns of each county forming one district shall be made to the county clerk's office of said county. The election returns of each district composed of more than one county shall be made to the county clerk's office of the county in which the largest total vote for presidential electors was cast at the last preceding presidential election. The election returns of each district composed of a portion of a county shall be made to the county clerk's office of said county.

Election re-
turns, where
made.

Approved June 27, 1907.

[No. 274.]

AN ACT to amend act number two hundred five of the public acts of eighteen hundred eighty-seven, as amended, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," by adding thereto three new sections to be numbered respectively sixty-eight, sixty-nine and seventy.

The People of the State of Michigan enact:

SECTION 1. Act number two hundred five of the public acts of eighteen hundred eighty-seven, as amended, entitled "An act to revise the laws authorizing the business of banking and to establish a banking department for the supervision of such business," is hereby amended by adding thereto three new sections to be numbered respectively sixty-eight, sixty-nine and seventy, as follows:

Sections
added.

SEC. 68. Any company formed under act number two hundred five of the public acts of eighteen hundred seventy-seven as amended, entitled "An act to provide for the incorporation of societies for the receiving, loaning and investing of money," whether formed under the act as originally passed or as amended, may reorganize and become a banking corporation under the provisions of this act.

Reorganize,
certain com-
panies may.

SEC. 69. Such reorganization may be accomplished by resolution of the board of directors of any company organ-

Resolution,
what to
specify.

Certificate of adoption, where filed, etc.	<p>ized under said act two hundred five of the public acts of eighteen hundred seventy-seven, as amended, declaring it to be the intent and purpose of said company to so reorganize, specifying all the matters and things required to be specified in articles of incorporation, in accordance with section two of this act, approved at a meeting called for that purpose by a vote of the stockholders, either in person or by proxy, holding not less than two-thirds of the stock of such company. If such resolution is passed and approved as aforesaid, the directors shall, under their respective hands and the seals of said company, certify in triplicate the adoption of said resolution and its approval by the stockholders as aforesaid to the Commissioner of the Banking Department, one of which shall be recorded in the office of the county clerk for the county in which the reorganized bank is located, one filed in the office of the Commissioner of the Banking Department, and one filed in the office of the Secretary of State.</p>
When deemed re-organized.	<p>SEC. 70. Upon the filing and recording of said certificate of the adoption and approval of said resolution aforesaid, such company shall be deemed reorganized, under this act, and be a body corporate, and have all the powers and be in all respects subject to the duties, limitations and restrictions granted and imposed by this act, precisely as if it had been originally organized hereunder; and all securities, real estate, property and assets of every kind shall become vested in such reorganized bank without any formal conveyance or transfer, but no such organization shall have the effect to discharge the original company, its directors or stockholders from any liability whatsoever, but the same shall continue until legally discharged, and such reorganized company shall be legally liable to pay every claim, demand and obligation existing against the original company whose assets and property or any part thereof it has received by virtue of such reorganization: <i>Provided</i>, That such reorganization conforms to the requirements as to capital contained in section one of act number two hundred five of the public acts of eighteen hundred eighty-seven, as amended, and such other requirements as to investments and examination by the Commissioner of the Banking Department as are contained in said act: And <i>Provided further</i>, That nothing in this act shall be construed as recognizing or establishing the validity of act number two hundred five of the public acts of eighteen hundred seventy-seven, as amended.</p>
Securities, etc. vestment of.	
Liabilities continuing.	
Proviso, conformity to requirements.	
Further proviso.	
	<p>This act is ordered to take immediate effect. Approved June 27, 1907.</p>

[No. 275.]

AN ACT making appropriations for the Michigan School for the Deaf for the fiscal years ending June thirty, nineteen hundred eight, and June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby appropriated for the current expenses of the Michigan School for the Deaf, for the fiscal year ending June thirty, nineteen hundred eight, the sum of eighty-five thousand dollars, and for the fiscal year ending June thirty, nineteen hundred nine, the sum of eighty-five thousand dollars.

SEC. 2. The further sum of eleven thousand five hundred dollars is hereby appropriated for the year ending June thirty, nineteen hundred eight, for purposes and amounts as follows: For the erection of suitable buildings, pens and runs, and the purchase of appliances and stock for a poultry farm, one thousand dollars; for the purchase and erection of a new boiler, seven hundred fifty dollars; for building and repairing fences, drives and walks and cultivating and beautifying grounds, one thousand dollars; for painting, calcimining and repairs to walls and ceilings, two thousand dollars; for roofs and gutters, one thousand five hundred dollars; for increasing and maintaining the pupils' library and reading rooms, five hundred dollars; for remodeling laundry building and providing new machinery for the same, two thousand five hundred dollars; for applying the vacuum system of heating to outlying buildings, one thousand dollars; for repairs to Brown Hall, one thousand two hundred fifty dollars.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the treasurer of the Michigan School for the Deaf, at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of ninety-six thousand five hundred dollars, and for the year nineteen hundred eight, the sum of eighty-five thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the moneys hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 276.]

AN ACT making appropriations for the State Asylum at Ionia, for the fiscal year ending June thirty, nineteen hundred eight, for building and special purposes, and to provide a tax to meet the same.

The People of the State of Michigan enact:

Appropriation
for buildings,
etc.

SECTION 1. There is hereby appropriated for the State Asylum at Ionia, for the fiscal year ending June thirty, nineteen hundred eight, the sum of forty-nine thousand dollars, by purposes and amounts as follows: One new building, forty thousand dollars; one store-room and refrigeratory plant, six thousand dollars; improvements and repairs, three thousand dollars.

Transfer of
funds.

SEC. 2. If the amount designated in section one of this act for any one of the purposes stated be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in section one, may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where a deficiency seems unavoidable, the intent of the provision of this section being to make the entire forty-nine thousand dollars available for the purposes stated in section one, if, in the judgment of the State Board of Corrections and Charities and the Auditor General, it is deemed advisable to make the transfers.

How paid
out.

SEC. 3. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the treasurer of the State Asylum at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the Auditor General thereunder.

Tax clause.

SEC. 4. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of forty-nine thousand dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 277.]

AN ACT making appropriations for the Michigan State Prison for a deficiency in the appropriation for general repairs for the fiscal year ending June thirty, nineteen hundred seven; for building, general repairs and special purposes for the fiscal year ending June thirty, nineteen hundred eight; for general repairs for the fiscal year ending June thirty, nineteen hundred nine, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. The sum of ninety-six thousand two hundred fifty dollars is hereby appropriated for the Michigan State Prison for the fiscal year ending June thirty, nineteen hundred eight, for purposes and amounts as follows: For a deficiency in the appropriation for general repairs for the fiscal year ending June thirty, nineteen hundred seven, five thousand dollars; for general repairs, six thousand five hundred dollars; for farm and lawn, five hundred dollars; for fire hose, five hundred dollars; for repairs to hospital, five hundred dollars; for stationery and blank books, seven hundred fifty dollars; for fitting and furnishings for the third floor of the main building, two thousand dollars; new machinery for shop number twenty, when rebuilt, fifteen hundred dollars; for power house and new system of heating, lighting and power, seventy-nine thousand dollars.

Appropriation
for deficiency,
building, etc.

For 1907.

SEC. 2. The further sum of four thousand seven hundred fifty dollars is hereby appropriated for the Michigan State Prison for the fiscal year ending June thirty, nineteen hundred nine, for purposes and amounts as follows: For general repairs, three thousand five hundred dollars; for farm and lawn, five hundred dollars; for stationery and blank books, seven hundred fifty dollars.

For 1909.

SEC. 3. If the amount designated in section one of this act for any one of the purposes stated be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in said section may, by obtaining the consent in writing of the State Board of Corrections and Charities and the Auditor General, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where a deficiency seems unavoidable, the intent of this provision being to make the entire ninety-six thousand two hundred fifty dollars available for the purposes stated in section one, if, in the judgment of the State Board of Corrections and Charities and the Auditor General it is deemed advisable to make the transfers.

Transfer of
funds.

SEC. 4. The several sums appropriated by the provisions of this act shall be paid out of the State treasury to the

How paid
out.

treasurer of the Michigan State Prison at such times and in such amounts as the general accounting laws of the State prescribe and the disbursing officer shall render his account to the Auditor General thereunder.

Tax clause.

SEC. 5. The Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of ninety-six thousand two hundred fifty dollars and for the year nineteen hundred eight the sum of four thousand seven hundred fifty dollars which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 278.]

AN ACT to organize a State psychopathic hospital, to provide for the management thereof, and making an appropriation therefor, and to repeal act one hundred sixty-one of the public acts of nineteen hundred one and act one hundred forty of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

Psychopathic ward, how equipped and purposes.

SECTION 1. The psychopathic ward at the University of Michigan hospital shall be a State hospital specially designed, equipped and administered for the care, observation and treatment of insanity, and for those persons who are afflicted with abnormal mental states but are not insane.

State Psychopathic Hospital.

SEC. 2. It shall be known as the State psychopathic hospital at the University of Michigan and shall be located at Ann Arbor.

Board of trustees, of whom composed, etc.

SEC. 3. It shall be under the control of a board of trustees, which board shall be composed of four members of the boards of trustees of the Michigan asylums for the insane and an equal number of members of the Board of Regents of the State University. The members of said board who represent the asylums shall be elected annually at the January meeting of the joint board meeting of the trustees of the Michigan asylums for the insane. The members from the Board of Regents of the State University shall be elected annually at their January meeting.

Term of office.

SEC. 4. All said trustees shall hold their several offices for the term of one year, beginning on the first of February and until their successors are duly elected and qualified.

Vacancy, how filled.

SEC. 5. Whenever a vacancy shall occur in said board of trustees, such vacancy shall be filled by the election of a member for any unexpired term from the board of asylum

trustees, or Board of Regents of the State University, respectively, whose representation was vacated.

SEC. 6. The government and sole control of the psychopathic hospital at the University of Michigan shall be vested in its board of trustees. They may take and hold in trust for the State any grant or donation or personal property to be applied to the maintenance of the patients or for the specified or general use of the psychopathic hospital. They may make rules fixing charges to be made against private patients or may make special contracts for the care of the same. They shall not receive any compensation for their services, but shall receive their actual and reasonable expenses incurred in the performance of their duties, which shall be paid in the same manner as the expenses of the trustees of the Michigan asylums for the insane. Said board shall:

Board to have control, etc., of hospital.

No compensation.

First, Have the general direction and control of all property and concerns of the psychopathic hospital not otherwise provided for by law;

Control of property.

Second, Provide its own by-laws, rules and regulations and see that its designs are carried into effect according to such by-laws, rules and regulations;

By-Laws.

Third, Appoint as often as vacancies occur, a medical director, who by virtue of his position shall be the pathologist of the State asylums for the insane and, with the approval of the Board of Regents of the State University, shall hold the position of professor of psychiatry in the department of medicine and surgery in the State University;

Appoint medical director.

Fourth, Appoint, on the nomination of the medical director, necessary assistant physicians;

Assistant physicians.

Fifth, Determine from time to time the salaries and allowances of the officers and employes of the psychopathic hospital;

Salaries.

Sixth, Establish by-laws, rules and regulations as they deem necessary for regulating the appointment and duties of officers, assistants and employes, and for fixing the conditions of admission, support and discharge of patients, and for the business management and internal government of the psychopathic hospital; maintain an efficient inspection of the hospital, keep records of its doings; make a detailed report to the legislature in each alternate year of the operations of the hospital, accompanied by the report of the medical director, business officer and treasurer.

Admission, etc., of patients.

Report.

SEC. 7. The medical director of the psychopathic hospital shall be its chief officer, and in his absence, sickness or incapacity, the first assistant physician shall perform the duties and be subject to the responsibilities of the medical director.

Medical director, chief officer, absence of.

SEC. 8. The medical director of the psychopathic hospital shall be in supervision and control of the hospital and direct the care and treatment of its patients, and shall:

First, Nominate the medical officers of the hospital and have power to suspend until the next meeting of the trustees, a resident officer, but in such cases he shall forthwith

When may suspend officer.

Appoint and
discharge at-
tendants, etc.

call a special meeting of the board of trustees to provide for the exigency and the action of the board shall be final;

Second, Appoint, with the approval of the trustees, such and so many other assistants and attendants as he may think necessary and proper for the economical and efficient performance of the business of the hospital; prescribe their duties and fix, subject to the approval of the trustees, their compensation, and may discharge from the psychopathic hospital any of them at his sole discretion, but shall keep a record in the hospital of such discharges with the reasons for the same.

Psychiatry
professor,
duties as.

SEC. 9. As professor of psychiatry in the department of medicine and surgery of the University of Michigan, he shall give instruction to the students of the medical department of the State University in diseases of the mind.

Medical di-
rector to be
pathologist of
asylums,
duties.

SEC. 10. The medical director of the psychopathic hospital shall be the pathologist of the State asylums for the insane and, as such, it shall be his duty to advise regarding the clinical and pathological research in the several asylums of the State and to maintain a systematic co-operation between the several asylums of the State and psychopathic hospital at the University of Michigan. He shall be the director and in sole charge of the clinical pathological laboratory of the psychopathic hospital. He shall from time to time visit the asylums of the State and may advise and instruct the medical officers of such asylums in subjects relating to the phenomena of insanity and all expenses incurred in the visit of the pathologist to the asylums of the State shall be chargeable to the account of the asylum visited, and shall be paid upon presentation of an itemized account of the expenses incurred in the visit to said asylum.

Member
joint asylum
boards.

SEC. 11. The medical director of the psychopathic hospital shall represent the psychopathic hospital at the meetings of the joint board of trustees of the Michigan asylums for the insane, and, as such representative, he shall be a member of said board. He shall have no vote, however, in the matter of fixing the rate of maintenance of the patients at the several asylums, or in the approval of the salaries of the officers of the same.

Medical offi-
cers of
asylums to
receive in-
struction.

SEC. 12. It shall be provided by rules of the trustees and the joint asylum boards, that the medical officers of the several asylums shall from time to time receive instruction at the psychopathic hospital at the expense of the asylums, respectively.

Treasurer of
hospital,
duties.

SEC. 13. The treasurer of the State University shall be ex-officio treasurer of the psychopathic hospital, and shall have all the powers and perform all the duties as are provided for in public acts of nineteen hundred three, act two hundred seventeen, section ten and section eleven.

Business offi-
cer, duties.

SEC. 14. The superintendent of the University of Michigan hospital shall be the business officer of the psychopathic hospital. He shall receive such salary as the board of trus-

tees of the psychopathic hospital shall from time to time fix, and shall:

First, Under the direction of the director of the psychopathic hospital, be accountable for the careful keeping and economical use of all furniture, stores and other articles of said hospital; Accountable for furniture, etc.

Second, Make all purchases for the psychopathic hospital and preserve the original bills and receipts thereof and keep full and correct accounts of the same; Make purchases.

Third, Make contracts in the director's name with the officers, attendants, nurses and assistants, and keep and settle their accounts; Contracts with attendants.

Fourth, Keep the accounts for the support of patients and expenses incurred in their behalf, and furnish the treasurer monthly, and at other times when requested by the director of the psychopathic hospital, statements of such as fall due; Accounts.

Fifth, Report to the treasurer the names and amounts due and in arrears from private patients; Report.

Sixth, Have general oversight, and under the direction of the director, have charge of all domestic departments of the hospital and of such other business as may be provided by the by-laws, or directed by the board of trustees, or such person or persons as may be appointed for such purpose by the board of trustees. Further duties.

Sec. 15. Patients admitted to the psychopathic hospital are divided into two classes: Patients, how divided.

First, Public patients are such as are kept and maintained by the State; Public.

Second, Private patients are such as are kept and maintained without expense to the State. Private.

Sec. 16. Sections fifteen and sixteen of act two hundred seventeen, public acts of nineteen hundred three, shall apply to the patients admitted to the psychopathic hospital at the University of Michigan, in all particulars not provided for in this present act. Act governing admission.

Sec. 17. Patients may be admitted to the psychopathic hospital at the University of Michigan in accordance with the following provisions: Patients admitted.

First, Persons adjudged insane according to the provisions of act two hundred seventeen, sections fifteen and sixteen, public acts of nineteen hundred three, may be committed to the psychopathic hospital at the University of Michigan, whenever, in the opinion of the judge of probate, it may be deemed advisable: *Provided*, That before such patient be Persons adjudged insane under certain act.

sent to said hospital, he shall obtain the approval of the director of the psychopathic hospital for such action. But, if an insane patient committed to the psychopathic hospital cannot be received because of lack of room, he shall be committed to the proper asylum in the district in which he resides and receive treatment until there is room for him at the psychopathic hospital, and if it appears in the course of his treatment in such asylum that he would not probably Proviso. Lack of room.

Orders of
judge, what
to specify.

Proviso,
notice of
transfer.

When court
may order
limited com-
mitment.

Report of ob-
servation.

In case per-
son insane.

be benefited by treatment at the psychopathic hospital, he shall remain at said asylum. In all orders made by the judge of probate for the admission of an insane person to the psychopathic hospital at the University of Michigan, it shall be specified that in case such patient shall not recover after a satisfactory period of observation and treatment, or whenever, in the opinion of the director of the psychopathic hospital at the University of Michigan, further residence in said hospital is inadvisable, such patient shall be transferred to the asylum in the district of which said patient was a legal resident or to such other asylum as the judge of probate may designate in such order of committal: *Provided*, That whenever an insane person is to be so transferred, due notice of such transfer shall be given to the judge of probate and the person making application for such admission and to the superintendent of the asylum to which such patient is to be transferred;

Second, When, in accordance with section sixteen, act two hundred seventeen, public acts of nineteen hundred three, in the hearing as to the insanity of a person, it may seem advisable to the court, that on account of doubt as to the sanity or insanity of a person, or if in the opinion of the court, a permanent order of insanity is inadvisable, or if in the opinion of the court and examining physicians, the case presents complicating diseases which may be treated by the clinical physicians in the general hospitals of the University, and by such treatment their mental or nervous disability be cured or benefited, the court may continue said hearing in said court not to exceed thirty-five days, and direct that such person shall be sent to the psychopathic hospital at the University of Michigan, as a public or private patient, as a person afflicted with some nervous or mental disease and that said person be there confined, observed and treated for a period not longer than thirty-five days. Before the expiration of this period the director of the psychopathic hospital shall return to the judge of probate the results of his observation and treatment of said patient, and an opinion stating whether said patient, is insane or sane. If observation has shown that the patient is insane, then the court shall notify said patient, the relatives and the person making the application for said admission to an asylum, and may pass judgment of insanity and order that said person be confined as an insane patient in the psychopathic hospital at the University of Michigan, or in the State asylum for the insane in the district of which said patient is a legal resident, or in such other asylum for the insane in the State of Michigan as may seem advisable; and it shall thereupon be further ordered that said patient be transferred to the State asylum for the insane of the district of which said patient was a legal resident, or to such asylum as said judge of probate may designate, when in the opinion of the director of the psychopathic hospital further residence in said hospital

would not result in recovery or would be inadvisable: *Provided*, That whenever an insane patient is to be transferred to an asylum in accordance with such provision, due notice of the intention of such transfer shall be given to the judge of probate, the person making application for the admission of said patient into an asylum, and the superintendent of the State asylum for the insane, to which said patient is to be transferred. If the results of the observation of said person show that, in the opinion of the director of the psychopathic hospital, said person is not insane, then the order for confinement, observation and treatment shall be vacated and the patient discharged from the psychopathic hospital;

Proviso,
transfer to
asylum.

Discharge
from hos-
pital.

Third, Persons who are residents of the State of Michigan, who are afflicted mentally, or with serious nervous disorder, but who are not insane, nor been legally adjudged insane, may be admitted to the psychopathic hospital at the University of Michigan as voluntary patients, either at the discretion of the director of said hospital, or in accordance with the statutes providing for the admission of voluntary patients to the Michigan State asylums for the insane. Such voluntary patients, when so received, shall be subject to the general rules and regulations of the psychopathic hospital. All voluntary patients shall be supported without expense to the State, and the amount agreed upon for the maintenance of such voluntary patients in the psychopathic hospital shall be secured by a properly executed bond to be approved by the medical director, and there shall be made such advance payments as may be required by the action of the board of trustees of the psychopathic hospital at the University of Michigan, and bills for their maintenance shall be collected monthly. Voluntary patients so received may be discharged at any time by the medical director, and in case any voluntary patient in the psychopathic hospital at the University of Michigan is believed to be insane, then proceedings shall be carried out as provided for such contingency by act two hundred seventeen, section twenty-nine, public acts of nineteen hundred three;

Private pa-
tients, ad-
mission of.

Support of.

Discharge, etc.

Fourth, In case the superintendent of any one of the asylums for the insane in the State of Michigan shall be of the opinion that the condition of mind of any person who is confined in such asylum may be benefited by residence and treatment at the psychopathic hospital at the University of Michigan, he may cause said patient to be conveyed to said hospital, and, in case said patient, while there confined, shall be restored to sanity, such patient shall be discharged; but, in case such patient shall be found incurable, such patient may be returned to the asylum from which said patient was received, or may be discharged or paroled from the psychopathic hospital by its director, with the consent of the superintendent of the asylum from which such patient was received. Whenever, in accordance with the above provisions, a patient shall be transferred from any asylum to the psycho-

Inmate at
asylum may
be treated
at hospital.

In case pa-
tient cured.

Incurables.

Relative to
transfer from
asylum.

	<p>pathic hospital, the superintendent of such asylum shall notify the guardian, if any, of such patient and the judge of probate of the county of which such patient was a resident, and when said patient is discharged, paroled or returned to the asylum from which said patient was received, the director of the psychopathic hospital shall inform said guardian, if any, and the judge of probate, before taking such action.</p>
Medical director responsible for care, etc.	<p>SEC. 18. All patients transferred to the psychopathic hospital in accordance with the foregoing provisions shall pass from under all care of the asylum from which they were received, except in matters provided for in foregoing provisions as to their discharge or parole, and the order committing such patients to the said asylum from which patients shall be received, shall be full authority for their transfer and confinement in the psychopathic hospital at the University of Michigan, and the director of the psychopathic hospital shall be responsible for their custody, care and treatment.</p>
Expense for transfers.	<p>SEC. 19. All expenses for transfers between the asylums and the psychopathic hospital at the University of Michigan, shall be borne by the State in the case of public patients, and by those responsible for their support in the case of private patients.</p>
Compensation.	<p>SEC. 20. No compensation shall be allowed to any physician, surgeon, or other officer of the University of Michigan, who shall care for or treat any patient of the psychopathic hospital, other than their regular salaries, but all necessary expenses for care of such patient, while in the wards or rooms of the general hospitals of the University of Michigan, shall be paid to the general hospitals by the psychopathic hospital. Such charges shall be audited by the Auditor General and shall be paid to the psychopathic hospital out of the general fund and in all cases where the State may reimburse itself for the costs of maintenance of patients at the psychopathic hospital, as hereinafter provided, the State shall collect from the county as a charge additional to the maintenance cost of said patient such amounts as have been expended for the care of patient while in the general hospital. Patients while in the wards or rooms of the general hospitals of the University of Michigan shall have the same status as if they were confined in the psychopathic hospital.</p>
Expenses, how audited and paid.	
May collect from county.	
Patients, discharge of.	<p>SEC. 21. The medical director of the psychopathic hospital may discharge any patient in the following ways:</p>
Act governing.	<p>First. In accordance with the provisions of section thirty-two, act two hundred seventeen, public acts of nineteen hundred three: <i>Provided</i>, That any person so discharged may not be readmitted to the psychopathic hospital at the University of Michigan, except on a new order of admission;</p>
Proviso, re-admission.	<p>Second. Any insane patient of the psychopathic hospital may be transferred to the State asylum for the insane in the district of which said patient was a legal resident, or to such asylum as the judge of probate may designate in his order of admission, whenever, after a satisfactory period of</p>
Transfer to asylum.	

observation and treatment, it is found that said patient is incurable, or that further confinement in the psychopathic hospital at the University of Michigan is inadvisable: *Provided*, That whenever an insane person is to be so transferred, due notice of such transfer shall be given to the judge of probate, and to the person making the application for the admission of said patient to an asylum, and to the superintendent of the asylum to which patient is to be transferred.

Proviso,
notice.

SEC. 22. The State shall pay to the psychopathic hospital all expenses for keeping and maintaining public patients therein, including their clothing and all other expenses of said hospital for said public patients, and during the first year of the patient's confinement as a public patient, the State shall collect from the county treasurer of the county in which said patient was a legal resident, such daily rate as may be annually fixed at the joint meeting of the boards of trustees of the State asylums for the insane and the Board of State Auditors, as the daily rate for the maintenance of public patients in the asylum located in the district of which such patient was a legal resident, and in addition thereto, the cost of clothing, transportation and elopement expenses and moneys furnished in accordance with section thirty-three, act two hundred seventeen, public acts of nineteen hundred three.

Expenses of
public pa-
tient, how
paid.

Collect from
county.

SEC. 23. The business officer of the psychopathic hospital shall monthly make an itemized statement, under oath, which shall be certified to by the director of the psychopathic hospital, of all expenses chargeable to the accounts of patients, and shall file the same with the treasurer of the psychopathic hospital. Upon filing of such account and affidavit with the treasurer, it shall be the duty of said treasurer to forward such account to the Auditor General, who shall examine and audit such account, and shall draw his warrant upon the State Treasurer for the amount so audited by him and shall pay the same out of any moneys appropriated for such purpose, if there be any, and, if not, then out of the general fund.

Monthly
statement of
expenses, how
audited and
paid.

SEC. 24. Every public patient, if he has an estate sufficient for that purpose, and, if not, such relatives as are legally liable for the support of such patient, shall be liable to the State for all expenses paid by it in the behalf of such patient.

Liability for
public pa-
tient.

SEC. 25. All repairs and such current expenses as are not actually related to the care and treatment of patients, shall be paid for out of any fund which may be to the credit of the hospital, over and above expenses for the maintenance for the patients therein.

Current ex-
penses.

SEC. 26. Any or all provisions of the following sections of act two hundred seventeen, public acts of nineteen hundred three, which are not in conflict with the foregoing provisions of this present act, or which provide for contingencies not provided for in this present act, shall apply to any or all patients confined in the psychopathic hospital, at the University of Michigan. Such sections are sections eighteen,

Act applicable.

nineteen, twenty, twenty-one, twenty-two, twenty-seven, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-seven, thirty-nine, forty, forty-one, forty-two, forty-three.

Pathological
laboratory to
be main-
tained.

SEC. 27. There shall be maintained as a part of the psychopathic hospital at the University of Michigan a clinical pathological laboratory, which shall be a central laboratory for the Michigan State asylums for the insane and a laboratory in which research into the phenomena and pathology of mental diseases shall be carried on.

Annual appro-
priation.

SEC. 28. There shall be annually appropriated out of any money in the State treasury, not otherwise appropriated, a sum of ten thousand dollars, to meet the payment of the salaries of the director of the psychopathic hospital, his assistant physicians, the business officer, clerk, laboratory assistants and the current expenses of the clinical pathological laboratory of the psychopathic hospital and the surplus, if any, may be expended for repairs and betterments of the psychopathic hospital.

Tax clause.

SEC. 29. The Auditor General shall add to and incorporate in the State tax for the year nineteen hundred seven and each year thereafter, the sum of ten thousand dollars which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

Acts re-
pealed.

SEC. 30. Act number one hundred sixty-one of the public acts of nineteen hundred one, and act number one hundred forty of the public acts of nineteen hundred five, are hereby repealed; saving and reserving all acts done and the rights accrued under said acts, which acts done and rights accrued shall continue and be in force under these acts and other laws of the State applicable thereto.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 279.]

AN ACT to amend section nine of act number one hundred thirty-four of the public acts of eighteen hundred eighty-five, entitled "An act to regulate the practice of pharmacy in the state of Michigan," as amended.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section nine of act one hundred thirty-four of the public acts of eighteen hundred eighty-five, entitled "An act to regulate the practice of pharmacy in the State of Michigan," is hereby amended to read as follows:

SEC. 9. Any person registered under the provisions of this act who shall give, sell, furnish, or offer for sale, directly or indirectly, any morphine, its salts and its derivatives, cocaine, eucaine or any of their respective salts, except to or upon the order of legally practicing physicians, dentists, veterinary surgeons, original prescriptions which shall not be refilled or a copy thereof given to any person, shall be guilty of a misdemeanor, and upon conviction of same shall be punished by a fine or imprisonment or both, as hereinafter provided: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers and manufacturers, to retail druggists or legally practicing physicians, or to each other, or to druggists and pharmacists if sold in original packages only, nor to sales at retail by retail druggists to regular practitioners of medicine, dentistry or veterinary medicine, nor to sales made to manufacturers of proprietary or pharmaceutical preparations for use in the manufacture of such preparations, nor to sales to hospitals, colleges, scientific or public institutions, nor to morphine when sold by retail druggists and pharmacists in original packages of not less than one-eighth ounce or in the pill or tablet form.

Morphine, cocaine, etc., sale of.

Proviso, jobbers, wholesalers, retail druggists.

Morphine in original packages, etc.

Approved June 27, 1907.

[No. 280.]

AN ACT to regulate the sampling and testing of milk and cream and the use of the Babcock test and to make the violation of any provision hereof a misdemeanor.

The People of the State of Michigan enact:

SECTION 1. In taking samples of milk or cream from any milk can, cream can or any container of milk or cream, the contents of such milk can, cream can, or container of milk and cream shall first be thoroughly mixed either by stirring or otherwise and the sample shall be taken immediately after mixing, or by any other method which gives a representative average sample of the contents, and it is hereby made a misdemeanor to take samples by any method which does not give a representative average sample where milk or cream is bought or sold, and where the value of said milk or cream is determined by the butter fat contained in the same by the Babcock test.

Representative average sample.

Certain methods a misdemeanor.

SEC. 2. In the use of the Babcock test, the standard milk measures or pipettes shall have a capacity of seventeen and

Babcock test, standard required for milk.

For cream. six-tenths cubic centimeters at sixty degrees Fahrenheit and the standard test tubes or bottles for milk shall have a capacity of two cubic centimeters for each ten per cent, marked on the necks thereof; cream shall be tested by weight and the standard unit for testing shall be eighteen granis, and it is hereby made a misdemeanor to use any other standards of milk or cream measure where milk or cream is purchased by or furnished to creameries or cheese factories, condensed milk factories, milk depots, or any other place where the value of said milk or cream is determined by the per cent of butter fat contained in the same by the Babcock test.

Where use of other standards a misdemeanor.

Unlawful reading of test.

SEC. 3. It shall be unlawful for the owner, manager, agent or any employee of a cheese factory, creamery, condensed milk factory or milk depot or other place where milk or cream is tested for quality or value to falsely manipulate or under-read or over-read the Babcock test, or make settlements on any other basis than the correct reading of the Babcock test or any other contrivance used for determining the quality or value of milk or cream where the value of said milk or cream is determined by the per cent of butter fat contained in the same or to make any false determination by the Babcock test or otherwise.

Penalty.

SEC. 4. Whoever shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each and every offense or be imprisoned in the county jail not less than ten days nor more than thirty days.

Approved June 27, 1907.

[No. 281.]

AN ACT to provide for free employment bureaus, to make an appropriation therefor, to provide a tax to meet the same, and to repeal act number thirty-seven of the public acts of nineteen hundred five, entitled "An act to provide for the establishing and maintaining of free employment bureaus," approved March thirty, nineteen hundred five.

The People of the State of Michigan enact:

Creation of, in certain cities.

Name of.

SECTION 1. Free employment bureaus are hereby authorized to be created in cities in this State, having a population of thirty thousand or over, for the purpose of receiving applications of persons seeking employment, and applications of persons seeking to employ labor. Such bureaus shall be designated and known as Michigan free employment bureaus.

SEC. 2. The Commissioner of Labor shall organize, establish and control the free employment bureaus authorized by section one of this act: *Provided*, That not more than five such bureaus shall be established, and that no two thereof shall be located within a radius of twenty-five miles. No compensation or fee shall be charged or received, directly or indirectly, from persons applying for employment or help through any such bureau. It shall be the duty of said Commissioner of Labor to use all diligence in securing the cooperation of employers of labor with the purpose and objects of said employment bureaus. To this end it shall be competent for said commissioner to advertise in the columns of newspapers or to use other mediums, for such situations as he has applicants to fill, and for such help as may be called for by employers. He may also advertise in a general way for the cooperation of large contractors and employers, in such trade journals or special publications as reach such employers, whether such trade journals are published within the State of Michigan or not, and may pursue such other methods as, in his judgment, will best tend to accomplish the purpose of this act: *Provided further*, That one such bureau, as above provided for, shall be established at the city of Kalamazoo, and one at the city of Saginaw.

Commissioner of labor to organize, etc.
 Proviso as to number.

Compensation etc., not to be charged applicants.

To advertise for situations or help.

Proviso as to establishing bureaus in certain cities.

SEC. 3. When the Commissioner of Labor shall establish a free employment bureau under the provisions of this act, the Board of State Auditors shall provide a suitable office for the same, with necessary furniture, and all printing, binding, blanks, stationery and supplies shall be done and furnished under any contract which the State now has, or shall hereafter have, for similar work with any party or parties, and the expense thereof shall be, in the discretion of the Board of State Auditors, audited and paid for in the same manner as other State printing and supplies are paid for.

Office to be provided.

SEC. 4. Said Commissioner of Labor is authorized to appoint such assistants as may be necessary. All such assistants shall be under the control and direction of the Commissioner of Labor, and shall receive such compensation as he shall determine. All compensation for services and expenses provided for in this act shall be paid by the State Treasurer upon the warrant of the Auditor General, in the same manner as other salaries and expenses are paid.

Assistants, appointment of.

How paid.

SEC. 5. The sum of five thousand dollars, or so much thereof as may be deemed necessary by the Commissioner of Labor, is hereby appropriated annually for the fiscal year ending June thirty, nineteen hundred eight, and for each fiscal year thereafter, out of which shall be paid all salaries, advertising and contingent expenses authorized by sections two and four of this act.

Appropriations, amount of, annually.

SEC. 6. The Auditor General is hereby directed to add to and incorporate in the State tax for the year nineteen hundred seven, the sum of five thousand dollars, and for each fiscal year thereafter the sum of five thousand dollars, which,

Tax clause.

when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

Act repealed.

SEC. 7. Act number thirty-seven of the public acts of nineteen hundred five, entitled "An act to provide for the establishing and maintaining of free employment bureaus," approved March thirty, nineteen hundred five, is hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 282.]

AN ACT to authorize the incorporation of a retail lumber dealers' mutual insurance association.

The People of the State of Michigan enact:

Who may
incorporate.

SECTION 1. It shall be lawful for any number of retail lumber dealers not less than twenty-five who collectively shall have capital invested in the retail lumber business, to the aggregate value of not less than fifty thousand dollars, to organize a mutual insurance association, for the purpose of insuring their stock of lumber, sheds, offices and fixtures generally kept in a retail lumber yard, against loss or damage by fire and lightning by complying with the following conditions, viz.: They shall sign articles of organization which shall be substantially in the following form:

Form of
articles.

"The undersigned retail lumber dealers of the State of Michigan and owners of more than fifty thousand dollars capital invested in the retail lumber business, do hereby associate together, by forming a mutual insurance association, under the name of The Retail Lumber Dealers' Mutual Insurance Association of Michigan, for the purpose of insuring the stock of lumber, sheds, offices and fixtures generally kept in a retail lumber yard, against loss or damage by fire and lightning. The elective officers of said association shall be a president, and a board of directors of six members, to be elected at the first meeting by the signers of the articles of association, three of said directors shall be elected and hold their office until the first annual meeting and three until the second annual meeting, or until their successors shall be elected. At the first annual meeting, and thereafter, three members of said board of directors shall be elected annually, for a term of two years each. The president shall be elected annually, and by virtue of his office as president of the association shall be a member of the board of directors, and president of the board. The board of directors shall fix the time and place for holding the annual meeting and shall elect the secretary and treasurer and such other officers as may be provided for in the by-laws of the association.

In witness whereof we have hereunto signed our names

this day of, A. D. nineteen hundred seven.”

SEC. 2. Such articles of organization shall be subscribed to by at least twenty-five retail lumber dealers of the State of Michigan, who are owners of not less than fifty thousand dollars' worth of stock in retail lumber yards, which shall be insured by such association, and when so signed shall be filed in the office of the Insurance Commissioner of this State. After the articles of association have been filed with the commissioner, with proof that policies to cover the amount of insurance has been applied for, they shall be examined by the Attorney General, and if found in conformity with the law, the Commissioner of Insurance shall issue a certificate that said association is duly organized and is entitled to do business under the laws of this State.

Number shall
subscribe.

Certificate,
when issued.

SEC. 3. The general management of the business of said association shall be vested in a president and six directors, each of whom shall during his term of office be a policy holder in said association, their duties and election shall be as follows: The signers of the articles of association shall elect from their number a president and six directors, of which the president and three directors shall hold their office until the first annual meeting or until their successors are elected and three directors until the second annual meeting, and at the first annual meeting and thereafter, three members of said board of directors shall be elected for a term of two years each. The president shall be elected annually by the policy holders, who by virtue of his office as president of the association, shall be a member of the board of directors and also president of the same. The board of directors shall fix the time and place for holding the annual meeting and shall elect a secretary, treasurer and such other officers, whose duties and compensation shall be such as may be provided for in the by-laws.

President and
six directors.

How elected,
terms.

Annual meet-
ing, secretary,
treasurer.

SEC. 4. Such association, before commencing its business shall prepare and adopt by-laws, which shall prescribe the duties of its officers, the manner, place and time of electing them, the directors, the place and manner of transacting its business and such other rules and regulations as may be deemed essential for the management of its affairs; such by-laws shall not be annulled, changed, suspended or repealed, except in the manner therein set forth, and a copy of same and of any subsequent amendments thereto or changes therein shall be by the secretary forthwith filed with the Commissioner of Insurance, to be filed in his office.

By-laws.

SEC. 5. Such association is authorized to issue standard policies of insurance signed by the president and secretary, agreeing to pay the person insured thereby against all loss, and damage to the property insured, which he may sustain, by fire or lightning, for a period of not more than three years, not exceeding the amount of three thousand dollars.

Authority to
issue standard
policies.

Policy holder
to be mem-
ber, etc.

Pro rata
liability.

By-laws,
what to
provide.

Withdrawals,
etc.

Annual de-
tailed state-
ment, what
to contain.

Copy, where
filed.

Books, papers,
files; exam-
ination of,
etc.

SEC. 6. Every holder of a policy of such insurance shall be a member of the association, and be entitled to one vote for each thousand dollars of insurance, or major fraction thereof, in the election of president and directors and shall be eligible to be elected to any office in such association. He shall be liable to the association for his pro rata share of all losses and damages by fire or lightning sustained by any other member and shall also be liable for his pro rata share of the expenses of the management of the business of such association, but this liability shall not exceed five times the amount of the cash premium required by the by-laws to be paid before the policy is issued, in addition to the premium so paid; and shall also be bound and subject to the by-laws thereof.

SEC. 7. The association shall in and by its by-laws provide for the manner in which such insurance shall be effected and the terms and conditions thereof, the time and manner in which such losses by it sustained under its policies of insurance shall be determined, proved, adjusted and paid. The time and manner and the officers to whom such assessment shall be paid. It shall also in and by its by-laws provide such other regulations, terms and conditions as it may be necessary for effectively and fully carrying out its plans of insurance, and the said by-laws in force at the time of the date of any policy of insurance issued by the association shall have the force and effect of law in the determination of all questions and claims arising under such policy between the holder thereof and the said association.

SEC. 8. The said association shall also in its by-laws provide the manner, terms and conditions upon which any member thereof may withdraw, or be suspended or policy cancelled.

SEC. 9. The secretary of the association shall prepare and submit to the members thereof at each annual meeting, a detailed statement of the conditions of such association, and its transactions for the preceding year, showing the number of policies and to whom issued, and the amounts assured thereby, the number of assessments made during the year, and the amounts paid in upon each assessment, the losses sustained during the year, and whether the same have been paid or adjusted or remain unpaid or unadjusted or are disputed and the amount of the assessment unpaid, the number of members of the association, the number of new policies issued during the year, and an itemized statement of the expenses of such association during the year, and the amount and conditions of its funds, and such other matters as may be of interest to the members. A copy of such annual statement shall within thirty days after such meeting be filed with and presented to the Insurance Commissioner of this State.

SEC. 10. All the books, papers and files of such association shall at all times be open to the examination of any member thereof, his agent or attorney, and any such mem-

ber, agent or attorney shall at all times have the right to make such copies of such books, papers and files as he may wish. The books of the association shall at all times be subject to examination by the Commissioner of Insurance or his deputy.

SEC. 11. All acts and parts of act conflicting with this chapter are hereby repealed. Repealing clause.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 283.]

AN ACT to amend section nine of act number one hundred eleven of the public acts of eighteen hundred eighty-nine, approved May twenty-four, eighteen hundred eighty-nine, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing close seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the obstruction of the free passage of fish, and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture, and to repeal inconsistent acts," the same being section five thousand eight hundred sixty-nine of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section nine of act number one hundred eleven of the public acts of eighteen hundred eighty-nine, approved May twenty-four, eighteen hundred eighty-nine, entitled "An act to protect fish and to regulate fishing in the waters of this State by providing close seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the obstruction of the free passage of fish, and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture, and to repeal inconsistent acts," the same being section five thousand eight hundred sixty-nine of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows: Section amended.

SEC. 9. It shall not be lawful at any time hereafter for any person or persons to catch or capture, by any means whatever, for the purpose of sale or to ship for the purpose of sale, any brook trout, grayling, large mouth black bass, small mouth black bass or white bass from any of the inland waters of this State. Trout and bass, unlawful to sell or ship.

Approved June 27, 1907.

[No. 284.]

AN ACT to provide punishment for wife desertion in certain cases.

The People of the State of Michigan enact:

Certain wife
desertion,
felony.

Proviso.

SECTION 1. Every man or boy who shall marry any woman or girl for the purpose of escaping prosecution for rape, bastardy or seduction, and shall afterwards desert her without good cause, shall be deemed guilty of a felony, and shall, upon conviction, be fined not more than one thousand dollars or be imprisoned in the State prison for not more than three years: *Provided*, That no prosecution shall be brought under this act after five years from the date of the marriage.

Approved June 27, 1907.

[No. 285.]

AN ACT to amend section six of act number three hundred thirty of the public acts of nineteen hundred five, entitled "An act to provide for the immediate registration of births, and the requiring of certificates of births," approved June twenty, nineteen hundred five.

The People of the State of Michigan enact:

Section
amended.

Compensation
for making,
etc., certifi-
cate.

Certain cer-
tificates,
when not
considered
defective.

Proviso as to
compensation
in certain
cities.

SECTION 1. Section six of act number three hundred thirty of the public acts of the State of Michigan for the year nineteen hundred five, approved June twenty, nineteen hundred five, is hereby amended to read as follows:

SEC. 6. Every physician, midwife, or nurse shall be entitled to be paid the sum of fifty cents for each certificate made and filed by such physician, midwife or nurse as provided in section two of this act, and each local registrar shall be entitled to be paid the sum of twenty-five cents for each birth certificate properly and completely made out and registered with him and by him returned to the Secretary of State, on or before the fourth day of the following month, which sum shall include the making of the copy of the certificate to be filed and preserved in his office. Certificates lacking certain items, including the given or Christian name of the child as to children not named at the date of filing the report, shall not be considered as defective, providing the missing information is obtained and returned to complete the certificate as elsewhere provided in this act: *Provided*, That the registrar for the city of Detroit and the registrar for the city of Grand Rapids shall receive no compensation for the duties required under this act. In case no

births occurred during a calendar month, the local registrar shall be entitled to be paid the sum of twenty-five cents for each report to that effect promptly made in accordance with the requirements of this act. All amounts payable to such registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon presentation of a proper warrant, issued by the Secretary of State. And the Secretary of State shall issue warrants in favor of local registrars at the end of their official years, or for the year ending March thirty-first, when continuing in office, specifying the number of certificates properly registered and promptly returned, and the number of prompt monthly reports made by each, to the effect that no births occurred, with the amount due at the rate fixed herein. Any physician, midwife or nurse who shall be entitled to any of the fees provided by this act, shall, on or before the first day of April of each year, file a sworn, itemized statement, upon such blanks as the Secretary of State shall prescribe, of his or her claim for such fees for the year beginning April one preceding, with the local registrar of the township or city where such certificates were filed; and the local registrar shall compare the statement so filed with the records in his office, and, if the said statement is correct, shall endorse thereupon his approval of the same in writing. The Secretary of State, upon receipt of such sworn statement, approved by the local registrar, as aforesaid, shall issue his warrant in favor of such physician, midwife or nurse for the amount of such fees. Upon presentation of said warrant to the treasurer of the county in which the registration district is located, the county treasurer shall pay the same, in the same manner and out of the same fund that the fees of the local registrar are paid.

Compensation
in case of no
birth.

Compensations
how paid.

Warrants in
favor of reg-
istrar, issued.

Itemized
statement,
when and
where filed.

Endorsement
of.

Warrants in
favor of
physician, etc.,
issued.

How paid.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 286.]

AN ACT to provide for the approval and regulation of salaries fixed and allowed by the boards of control of the various State institutions.

The People of the State of Michigan enact:

SECTION 1. Whenever, under the laws of this State, the salary of any superintendent, president, secretary or any other officer, having direct executive management or control of any State institution, shall be fixed or changed by the board of control of such institution, payment thereof shall

Salaries of
certain state
officers, by
whom ap-
proved.

not be made until the annual or fixed salary so made shall be approved by the Governor, Auditor General and State Treasurer.

Certified copy of resolutions fixing salaries to be filed.

SEC. 2. It shall be the duty of all boards of State institutions authorized by law to fix the salary of the superintendent, president, secretary or other executive officer, to at once file with the Governor and Auditor General, a certified copy of the resolution of the board of control, so fixing or changing the annual or stated salary of any superintendent, president, secretary or other executive officer in the management of such institution.

Governor, etc., not competent to change salary.

SEC. 3. It shall not be competent for the Governor, Auditor General and State Treasurer, to change, in their discretion or judgment, any salary fixed by the board of control, but they may refuse approval until the salary shall be fixed by the board of control at an amount to meet their approval.

Salary fixed and approved to be endorsed on resolution and filed.

SEC. 4. The stated or annual salary fixed or changed by the board of control of any State institution and approved by the Governor and Auditor General and State Treasurer, shall be endorsed on the resolution of the board of control, certified to the Governor, and with the approval of all the officers herein specified shall be filed in the department of the Auditor General.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 287.]

AN ACT to provide for the casting, registering, recording and counting of ballots or votes at any regular or special election held in the State of Michigan, by means of voting machines; to provide for the purchase of same and to repeal all acts or parts of acts inconsistent herewith.

The People of the State of Michigan enact:

Voting machines, use of, at elections.

SECTION 1. At all State, county, city, village and township elections hereafter held in the State of Michigan, ballots or votes may be cast, registered, recorded and counted by means of voting machines, as hereinafter provided.

Purchase of, by whom.

SEC. 2. Hereafter the common council of any incorporated city or village, or the township board of any township in the State of Michigan, may, by a majority vote, authorize, purchase and order the use of any thoroughly tested or reliable voting machine in any one or more voting precincts within said city, village or township until otherwise ordered by the officers adopting the same.

Construction of.

SEC. 3. A voting machine to be purchased as provided in section two of this act must be so constructed as to provide facilities for voting for the candidates of at least seven dif-

ferent parties or organizations, and must permit all voters to vote for any person for any office although not nominated as a candidate by any party or organization, and must permit voting in secrecy. It shall also be so constructed that votes may be cast thereon for constitutional amendments or any other public measure; it must also be so constructed as to provide for at least thirty candidates for each party or organization at any and all elections and said machine must be constructed of good and durable material in a workmanlike manner, and also so constructed that it can be easily and conveniently operated by inspectors of election and the voters; it must also be so constructed as to prevent voting for more than one person for the same office, except where the voter is entitled to vote for more than one person for that office, and it must afford him an opportunity to vote for any and all persons for that office as he is by law entitled to vote for and no more, at the same time preventing his voting for the same person twice. It may also be provided with one ballot in each column containing the words "Presidential electors" preceded by the party name and a vote for such ballot shall operate as a vote for all the candidates of such party for presidential electors. Such machine shall be so constructed as to accurately account for every vote cast upon it and so that the total number of votes as to each office being voted for shall exactly equal the total number of voters as shown by the total register on the machine to have voted.

To prevent
illegal voting.

Provided
with ballots
for "Presi-
dential elec-
tors."

To make
accurate ac-
count.

SEC. 4. The common council of any city or village, or the township board of any township, adopting a voting machine shall as soon as practicable thereafter, provide for each polling place a voting machine in complete working order and shall thereafter keep the same in repair and shall have the custody thereof, and of the furniture and equipment of the polling place when not in use at an election. If it shall be impracticable to supply each and every election district with a voting machine at any election following such adoption, as many may be supplied as it is practicable to procure, and the same may be used in such election district or districts within the city, village, or township as the officers adopting the same may determine.

Distribution
of, in whose
custody, etc.

SEC. 5. The common council of any city or village or the township board of any township on the adoption and purchase of voting machines may provide for the payment therefor in such manner as they may deem for the best interest of the city, village or township, and may for that purpose issue bonds, certificates of indebtedness or other obligations which shall be a charge on the city, village or township. Such bonds, certificates or other obligations may be issued with or without interest, payable at such time or times as the authorities may determine, but shall not be issued or sold at less than par.

Payment of,
how provided
for.

Bonds, etc.,
for payment
of, issue of,
when payable.

Ballots, how
printed, etc.

Names, how
placed.

Order of
names, by
whom pre-
scribed.

Amendments,
where placed.

Paper ballots,
when fur-
nished.

Ballot labels
and slips,
when and by
whom fur-
nished.

Inspection of
machines, and
placing of
names, etc.,
by whom.

SEC. 6. All ballots shall be printed in black ink, on clear white material of such size as will fit the ballot frame and in plain type as the space will reasonably permit. The party name for each political party represented on the machine shall be prefixed to the name of the candidates for such party. The names of candidates for office to be voted for at such election shall be placed upon such machines in the same order that the names of candidates for office are now required to be placed upon printed ballots by the general election law. Where candidates for local offices in any city, village or township are to be voted for at any election, the names of the candidates for such offices shall be placed last upon such voting machines following the names of candidates for State, county and other offices to be voted for at such election. The order in which the names of such candidates for local offices shall be placed upon such machines shall be prescribed by the board of election commissioners of the city, village or township, as the case may be. Where amendments to the constitution are to be voted on, such amendments shall be placed upon the voting machines immediately following the names of candidates for State offices, excepting where the machines used provide a special place therefor, in which case amendments shall be placed upon the portion of the key-board especially provided therefor. Where voting machines have been purchased or are used the election commissioners of the county or of the city, village or township shall not be required to print and furnish paper ballots for the city, village or township using voting machines, except for any question or matter that cannot be provided for by the voting machines. The board of election commissioners of the county shall cause to be printed, ballot labels and slips containing the names of candidates for all State and county offices, representative in congress, representative and senator in the State legislature, and amendments to the constitution, to be voted for at such election, for use upon such voting machines, and shall forward the same to the board of election commissioners of each city, village and township within the county where such voting machines are used, at least two secular days before the day of election. The board of election commissioners of each city, village and township shall cause to be printed ballot labels and slips containing the names of the candidates for local offices in any city, village or township, to be voted for at any election where voting machines are used, for use upon such machines. It shall be the duty of the board of election commissioners of each city, village and township in which voting machines are used to inspect all voting machines prior to any election at which the same are to be used and to see that such machines are in proper working order; and it shall be the duty of said board to place in such machines, in the proper order as herein provided, the slips containing the names of candidates to be voted for and the questions to be voted upon, at any election.

SEC. 7. Two sets of ballot labels shall be provided for each polling place for each election for use in the voting machine and the same shall be delivered by the board of election commissioners to the election board of each voting precinct before ten o'clock in the forenoon of the day herein designated.

Two sets of ballot labels provided each polling place, when.

SEC. 8. Ballot clerks and gate-keepers may be dispensed with in voting precincts in any city, village or township where voting machines are used.

Ballot clerks, etc., may be dispensed with.

SEC. 9. The inspectors of election and clerks of each voting precinct shall meet at the polling place therein at least a half hour before the time set for the opening of the polls at each election and shall proceed to arrange within the guard rail the furniture, stationery and voting machine for the conducting of the election. The inspectors of election shall then and there have the voting machine, ballots and stationery required to be delivered to them for such election.

Inspectors of election, etc., when to meet at polling place for arranging machine, etc.

The inspectors shall cause at least one instruction card, containing instructions how to vote on such voting machine, to be posted conspicuously within the polling place and, if not previously done, they shall arrange in their proper place on the voting machine the ballot labels containing the names of the offices to be filled at such election and the names of the candidates nominated therefor and such questions and measures as are to be voted upon at such election. If not previously done the machine shall be so arranged as to show that no vote has been cast and the same shall not be thereafter operated, except by electors in voting, and the counters or registers upon which votes are to be cast shall be exposed to the public for at least ten minutes before the hour set for the opening of the polls. Before the polls are opened for election, each inspector shall carefully examine every machine and see that no vote has been cast and the same shall be subject to inspection of the election officers, party challengers and all electors.

Instruction card, where posted.

Machine, how arranged, etc.

Subject to inspection.

SEC. 10. Ballots voted for any person whose name does not appear on the machine as a nominated candidate for office are herein referred to as independent ballots. If any voter desires to vote for any person whose name is not in the machine, or for any combination of names that could not be voted with the machine, the inspectors of election shall supply him with a ballot and said voter may fill out the ballot with the names of the persons he desires to vote for, but which could not be voted for with the machines, designate for which of the candidates he desires the remainder of his ticket to be counted, and deliver the same folded to the inspectors of election, who shall deposit the same in the receptacle on the machine, provided for the independent ballot and the ballots so cast shall be counted at the close of the election provided it contains a name or names that could not have been voted with the machine.

Independent ballots.

Voting for person whose name not on machine.

Challenge of voter.

How may vote if challenge is not withdrawn.

In case of disabled machine.

Independent ballot, when not to be voted for candidates appearing on machine.

Machine, exterior of, to be in plain view.

Guard rail, construction of.

One voter permitted at a time.

Time voter may remain within booth.

Proviso as to granting further time.

Voting machine, how placed.

SEC. 11. When the right of any person offering to vote is challenged the inspectors of election shall tender to him such of the oaths required by the election laws of the State as he may claim to contain the grounds of his qualification to vote, and if said board shall decide that said person is a qualified voter he shall cast his vote with the machine, but if the challenge is not withdrawn or if said board shall not decide that he is a qualified voter he may have the right to cast a ballot in the manner provided in section ten of this act for voting for irregular candidates, except that such ballot shall be marked with the name or poll number of the elector so voting. If at any time during the election the voting machine is disabled and cannot be repaired and no other voting machine can be had to supply its place the voting thereafter at that election may be by ballot in the manner provided in section ten of this act.

SEC. 12. With the exception of persons desiring to vote for independent candidates or for a combination of names that cannot be voted with the machines, and except for presidential electors and challenged votes, no independent ballot shall be voted for any person for any office whose name appears on the machine as a nominated candidate for that office. Any independent ballot so voted shall be counted. An independent ballot must be cast in its appropriate place on the machine or it shall be void and not counted.

SEC. 13. The exterior of the voting machine and every part of the polling place shall be in plain view of the election officers and the public. The voting machine shall be placed at least three feet from every wall and partition of the polling place and at least three feet from the guard rail. The guard rail shall be constructed at least three feet from the machine with openings to admit electors to and from the machine.

SEC. 14. Only one voter at a time shall be permitted to pass within the guard rail to vote. The operating of the voting machine by the elector while voting shall be secret and obscure from all other persons, except as provided by this act in cases of voting by assisted electors. No voter shall have the right to remain within the voting machine booth longer than one minute, and if he shall refuse to leave it after the lapse of one minute he shall be removed by the inspectors: *Provided*, That the inspectors may grant him further time in their discretion if others are not waiting to vote, provided that any voter having been removed before voting may re enter the machine and cast his vote at any time during the day when the machine is not in use or wanted for use by other voters.

SEC. 15. The voting machine shall be so placed that the front or closed side of said machine shall be in full view of the inspectors and bystanders at all times during the election, and the inside of the machine concealed from the

view of all persons except voters and persons authorized by law to instruct or assist voters.

SEC. 16. An inspector of election shall attend to the locking and unlocking of the machine and it shall be his duty to prevent said machine from being unlocked at any time during said election, except when a voter is within for the purpose of voting, and whenever a voter has voted the inspector shall lock the machine and it shall remain so until another voter enters for the purpose of voting.

Locking and unlocking of machine, by whom.

SEC. 17. In case any elector after entering the voting machine booth shall ask for further instructions concerning the manner of voting two inspectors of opposite political parties shall give such instructions to him, but no inspector or other election officer, or person assisting at any election shall in any manner request, suggest or seek to persuade or induce any such elector to vote any particular ticket, or for any particular candidate or for or against any particular amendment, question or proposition. After receiving such instructions such elector shall vote as in the case of an unassisted voter.

Assistance to voters.

SEC. 18. No voter or other person shall deface or injure the voting machine or the ballot labels thereon. It shall be the duty of the inspectors of election to enforce the provisions of this section. The inspectors of election shall, at such intervals, as they may deem proper or necessary, examine the face of the machine to ascertain whether it has been defaced or injured, to detect the wrong-doer and to repair any injury.

Examination of face of machine.

SEC. 19. As soon as the polls of election are closed the inspectors of election shall immediately lock the voting machine against voting and open the counting compartments in the presence of all persons who may be lawfully within the polling place and proceed to canvass the vote.

Inspectors to open counting compartments and canvass vote.

SEC. 20. After the total vote for each candidate and question has been ascertained, and before leaving the room or voting place, the inspectors of election shall make and sign written statements of election as required by the election laws now in force.

When inspectors to sign statements of election.

SEC. 21. The Secretary of State shall furnish the necessary statements and canvassing sheets for the respective boards of election inspectors to make returns on where voting machines are used. It shall be the duty of the common council of any city or village, or the township board of any township, which has purchased or adopted the use of a voting machine to immediately notify the Secretary of State of such fact and to furnish the names of the members of the board of election inspectors of the voting precinct in which the voting machine will be used.

Statements, etc., by whom furnished.

Secretary of State to be notified of adoption of voting machines.

SEC. 22. All the provisions of the election laws now in force and not inconsistent with the provisions of this act, shall apply with full force to all counties, cities, villages and townships adopting the use of voting machines.

Election laws applicable.

Repealing
clause.

SEC. 23. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 288.]

AN ACT supplementary to act number two hundred thirty-nine of the public acts of nineteen hundred five, entitled "An act to make an appropriation for designating by monument the location occupied by the second, eighth, twelfth, fifteenth, seventeenth, twentieth and twenty-seventh regiments of Michigan Infantry; and the Batteries "G" and "H." First Michigan Light Artillery, who participated in the campaign and siege of Vicksburg, within the Vicksburg National Military Park and providing for the erection of the same."

The People of the State of Michigan enact:

Appropriation
for monu-
ment.

SECTION 1. There is hereby appropriated from any moneys in the State treasury, not otherwise appropriated, the sum of ten thousand dollars, in addition to the sum of ten thousand dollars appropriated by act number two hundred thirty-nine of the public acts of nineteen hundred five, entitled "An act to make an appropriation for designating by monument the location occupied by the second, eighth, twelfth, fifteenth, seventeenth, twentieth and twenty-seventh regiments of Michigan Infantry, and the Batteries "G" and "H" First Michigan Light Artillery who participated in the campaign and siege of Vicksburg, within the Vicksburg National Military Park and providing for the erection of the same." Said sum of ten thousand dollars shall be added to, and expended in the same manner and by the same commission, as the said sum of ten thousand dollars appropriated by said act number two hundred thirty-nine of the public acts of nineteen hundred five.

By whom
expended.

Duty of
commission.

Appointment
of additional
member,
duties and
compensation.

SEC. 2. The commission heretofore appointed under act number two hundred forty of the public acts of nineteen hundred three is hereby continued with the same powers and duties as are prescribed in said act; and the Governor is hereby authorized to appoint an additional member of said commission, who shall be a competent and experienced architect and who shall perform the same duties and have the same compensation as the other members of the said commission, but who shall not be required to have the qualification of service in the campaign and siege of Vicksburg prescribed by said act number two hundred forty of the public acts

of nineteen hundred three for the other members of said commission.

SEC. 3. The Auditor General of the State shall add to and incorporate in the State tax for the year nineteen hundred seven the sum of ten thousand dollars, to be appropriated, levied, assessed and collected, which sum, when collected, shall be placed to the credit of the general fund to reimburse said fund, for the amount appropriated by section one of this act. Tax clause.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 289.]

AN ACT to authorize the Michigan Dairymen's Association to hold annual meetings during the years nineteen hundred seven and nineteen hundred eight, and such auxiliary meetings each of the above named years as may be determined by the association and making an appropriation therefor.

The People of the State of Michigan enact:

SECTION 1. The Michigan Dairymen's Association is hereby authorized to hold one annual meeting and as many auxiliary meetings each year, and at such place or places, as may be decided upon by said association, for the dissemination of knowledge pertaining to dairying and dairy products among the people of the State, and said association shall formulate such rules and regulations as it may deem proper to carry on the work contemplated in this act, and it may employ an agent or agents to perform the duties in connection therewith as it may deem best. To hold meetings.
To formulate rules, etc.
May employ agents.

SEC. 2. For the purposes mentioned in the preceding section, the said Michigan Dairymen's Association may use such sums as it shall deem proper, not exceeding five hundred dollars, for the necessary current expenses of the Michigan Dairymen's Association each year for the years nineteen hundred seven and nineteen hundred eight. All of which the State Treasurer shall pay to said association annually on the warrants of the Auditor General from time to time, as its vouchers for the same shall be exhibited and approved. Amount of moneys allowed.
How and by whom paid.

SEC. 3. The Auditor General shall add to and incorporate into the State tax the sum of five hundred dollars annually, for the years nineteen hundred seven and nineteen hundred eight, and such amount is hereby appropriated from the general funds of the State, which said sum shall be included in the State taxes apportioned by the Auditor Gen- Tax clause.

Act repealed.

eral on all taxable property of the State, to be levied, assessed and collected, as other State taxes and when so assessed and collected, to be paid into the general funds to reimburse said funds for the appropriation made by this act.

SEC. 4. Act number one hundred forty-six of the public acts of eighteen hundred ninety-nine is hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 290.]

AN ACT to amend section five of act number two hundred seventeen of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws organizing asylums for the insane and to regulate the care, management and use thereof and to provide for the apprehension of persons believed to be insane and for their care and custody."

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section five of act number two hundred seventeen of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws organizing asylums for the insane and to regulate the care, management and use thereof and to provide for the apprehension of persons believed to be insane and for their care and custody," is hereby amended to read as follows:

Trustees, boards of, to control asylums.

SEC. 5. The government and sole and exclusive control of the several asylums shall be vested in the said several boards of trustees. They may take and hold in trust for the State any grant or devise of land, or any donation or bequest of money, or other personal property, to be applied to the maintenance of insane persons and the general use of their respective asylums. They shall not receive any compensation for their services, but shall receive their actual and reasonable expenses incurred in the performance of their duties, which shall be paid by the State Treasurer, on the warrant of the Auditor General, on the rendering of their accounts out of any money to the credit of the general fund not otherwise appropriated. Each board shall: .

No compensation. Expenses of, how paid.

To have control of property, etc.

First, Have the general direction and control of all the property and concerns of the several institutions over which they are respectively appointed, not otherwise provided by law. Each board shall meet regularly at least once a month;

Meeting. To have general supervision.

Second, Take charge of the general interests of the asylum and see that its design is carried into effect according to law and its by-laws, rules and regulations;

Third, Employ with the approval of the Governor of the State necessary legal counsel in the prosecution of claims or demands against persons or corporations and may defend all suits brought against themselves, officers or employes of the institution, to recover damages because of any act done, or failure to perform any act, while discharging their official duties and may pay any judgment recovered in such suit out of any moneys appropriated for the support of the asylum;

Employ counsel, defend suits, etc.

Fourth, Appoint, as often as vacancies occur therein, a medical superintendent, who shall be a well educated legally registered physician and experienced in the treatment of the insane;

Appoint medical superintendent.

Fifth, Appoint, upon the nomination of the medical superintendent, an assistant medical superintendent and necessary assistant physicians (at least one of whom shall be a woman), a steward and a chaplain. All medical officers shall constantly reside at the asylums and shall be legally registered physicians;

Appoint other employes.

Sixth, Appoint a treasurer, not one of their number, who shall give bonds for the faithful performance of his trust, in such sum and with such sureties as the Auditor General of the State shall approve;

Appoint treasurer, bonds.

Seventh, Determine from time to time by and with the consent of the joint board of trustees, the annual salaries and allowances of the officers of the asylum under its charge, which shall be paid monthly out of the current expense fund on an officer's voucher, signed by the steward and countersigned by the president of the board of trustees; but in no case shall the annual salaries so fixed exceed fifteen thousand dollars per annum, except that when the number of patients under treatment in any such asylum shall reach sixteen hundred, a sum not exceeding one thousand dollars per annum for each additional one hundred patients may be appropriated and allowed for said purposes. No officers shall be paid or receive fees, perquisites or further compensation for any service or in any other manner than is provided in this section;

Determine salary of employes.

How paid.

Salaries limited.

Extra fees, etc., not allowed.

Eighth, Establish such by-laws, rules and regulations as they may deem necessary and expedient for regulating the appointment and duties of officers, attendants, assistants and employes, for fixing the conditions of admission, support and discharge of patients and for conducting in a proper manner the business of the asylum and also for the internal government, discipline and management of the same;

Establish rules, etc.

Ninth, Maintain an effective inspection of the asylum, for which purpose a committee shall visit it once every month, a majority once every three months and the whole board at least once a year and at such other times as may be prescribed in the by-laws;

Inspection of asylum.

Tenth, Enter in a book kept by them for that purpose, the date of each visit and the condition of the asylum, patients,

Record of inspection.

- etc., with such remarks as shall be deemed proper and all the visiting trustees present shall sign the same;
- Make reports.** Eleventh, Make to the legislature, in the month of January in each alternate year, a report detailing the operations and actual state of the asylum and the result of their visits and inspections, with suitable suggestions, accompanied by the reports of the medical superintendent, steward and treasurer;
- Record of doings.** Twelfth, Keep in a book to be provided for that purpose a fair and full record of all their doings which shall be open at all times to the inspection of the Governor of the State and all persons whom he, or either house of the legislature may appoint.
- This act is ordered to take immediate effect.
Approved June 27, 1907.

[No. 291.]

AN ACT to provide for the payment for overtime of convicts engaged in manufacturing on public account.

The People of the State of Michigan enact:

- Wardens, etc., may direct payment.** SECTION 1. The wardens and boards of control of the State prisons in which manufacturing is done on public account may, if to them may seem wise, direct the payment to prisoners engaged in manufacturing on State account, such sum quarterly for the time such convicts may work, in addition to or beyond the task fixed by the State in the prison rules, as shall in any quarter of the year not exceed in the aggregate for all the convicts engaged in any particular plant one-tenth of the profits realized upon actual collections upon the sale of the product of that plant. Said payments of overtime shall be made by the State Treasurer upon the warrant of the Auditor General to the parties certified by the warden to be entitled thereto, at such times and in such amounts as may be required and deemed necessary by the board of control and warden of said prison.
- What not to exceed.**
- Payments, how made.**
- This act is ordered to take immediate effect.
Approved June 27, 1907.

[No. 292.]

AN ACT to provide for the surveying and establishing of section corners and the boundaries of unsurveyed lands in certain cases.

The People of the State of Michigan enact:

SECTION 1. When it appears by the field notes of the United States survey of this State, on file in the State Land Office, that any section or quarter section corner or corners, were omitted and were not properly established by such survey, or when it shall appear that lands have been formed by accretions or otherwise upon the boundaries of the Great Lakes outside of the United States survey of this State, and belonging to the State of Michigan, the Commissioner of the State Land Office shall be authorized to establish any such missing corners in any county in this State or to establish the boundary lines of such unsurveyed lands, and for such purpose may appoint and designate a competent surveyor to make the necessary surveys. Appointment of surveyor.

SEC. 2. The surveyor so appointed shall receive compensation for his time actually employed, not to exceed five dollars per day and his necessary expenses for chain men and assistants, to be approved by the Commissioner of the State Land Office. The surveyor's bills for services and expenses shall be made on forms furnished by the Commissioner of the State Land Office, and itemized and sworn to, and shall be audited by the Board of State Auditors, and when allowed by them, shall be paid out of the general fund. Compensation and expenses, how paid.

SEC. 3. The original notes of the field work performed under the provisions of this act shall be placed on file in the State Land Office and all corners and boundary lines so established shall be of the same force and effect as those established by the original United States survey. Notes of field work to be filed, etc.

SEC. 4. All acts or parts of acts inconsistent with or contravening the provisions of this act are hereby repealed. Acts repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 293.]

AN ACT permitting the taking of whitefish in the waters of Indian river and Mullet lake, in the county of Cheboygan.

The People of the State of Michigan enact:

Whitefish,
open season
to spear in
certain
waters.

Proviso.

Not to be
sold, etc.

Penalty.

SECTION 1. It shall be lawful for any person, from September fifteen to October fifteen, both inclusive, in each year, to take whitefish in the waters of Indian river and Mullet lake, in Cheboygan county, by means of a jack-light and spear: *Provided*, That the taking of such whitefish shall in no way interfere with or destroy other fish protected under the laws of this State.

SEC. 2. Any whitefish, taken lawfully from the waters of Indian river and Mullet lake, Cheboygan county, between the dates hereinbefore mentioned, may be retained by the person or persons so taking them, but shall not be sold or offered for sale.

SEC. 3. Any person or persons violating the provisions of section two of this act shall be punished by a fine of not more than twenty-five dollars or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment in the discretion of the court, and each violation shall be deemed a separate and distinct offense.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 294.]

AN ACT to provide for the appointment of a county game and fish warden for the county of Wayne, to prescribe his powers and duties and fix his compensation.

The People of the State of Michigan enact:

County game
and fish war-
den, appoint-
ment of.

Term of
office, etc.

Salary and
expenses of,
how paid.

SECTION 1. The State Game and Fish Warden shall appoint a resident of the county of Wayne as county game and fish warden for said county, who shall have the same powers in said county as are possessed by the State Game and Fish Warden under the general laws of the State. Said county game and fish warden shall be appointed for the same term as the State Game and Fish Warden and shall be subject to the supervision and control of, and to removal by the State Game and Fish Warden. Said county game and fish warden shall receive a salary of twelve hundred dollars per annum and his actual necessary expenses, not exceeding the sum of five hundred dollars per annum, to be paid monthly upon

warrants of the board of county auditors of said county of Wayne.

SEC. 2. All acts and parts of acts inconsistent with this Act repealed. act, in so far as they conflict herewith, are hereby repealed.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 295.]

AN ACT to prevent hunting for game on Sunday in several townships of the county of Wayne and in the county of Macomb, and to authorize the arrest of persons so offending, and to prescribe a penalty therefor.

The People of the State of Michigan enact:

SECTION 1. It shall be unlawful for any person to hunt for game with firearms, dogs or otherwise, on Sunday on any lands or premises of another in the townships of Greenfield, Redford, Plymouth, Gratiot, Hamtramck, Grosse Pointe, Northville, Livonia in the county of Wayne, and in the county of Macomb, without the consent of the owner or lessee of such lands or premises: *Provided*, That the provisions of this act shall not apply to the shooting of wild water fowl in Detroit river, St. Clair river and Lake St. Clair, in the counties of Wayne and Macomb. Hunting on Sunday unlawful.

SEC. 2. If any person is found upon the lands or premises of another without the consent of the owner or lessee of such lands or premises, with firearms in his possession on Sunday, it shall be deemed prima facie evidence of a violation of this act. Evidence of violation.

SEC. 3. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be liable to a fine of not more than twenty-five dollars and costs of prosecution, or to imprisonment in the county jail of not to exceed thirty days, or both such fine and imprisonment in the discretion of the court: *Provided, however*, That no complaint shall be made or entertained against any person for the violation of any of the provisions of this act, unless the same shall be made by the owner or lessee of the lands or premises so trespassed upon: *Provided, further*, That any officer duly authorized to make an arrest, including the State Game and Fish Warden and his deputies, may arrest without warrant any person caught by him in the act of violating any of the provisions of this act, when requested so to do by the owner or lessee of the lands or premises trespassed upon. Such arrest may be made on Sunday, in which case the person arrested may be taken be- Penalty. Proviso, complaint, who to make. Proviso, arrest without warrant.

fore a justice of the peace having jurisdiction, and proceeded against as soon as may be on a week day following the arrest.

Fees for
arrests.

SEC. 4. The State Game and Fish Warden and his deputies shall receive the same fees for making arrests under this act that other officers now do for like services. Nothing herein shall prevent said warden or his deputies from receiving such further compensation as may be made by the board of supervisors of said county.

'Sunday'
defined.

SEC. 5. The word "Sunday" as used in this act shall be construed to mean the first day of the week.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 296.]

AN ACT making an appropriation for the erection, at the city of Monroe, Michigan, of an equestrian statue of General George A. Custer.

The People of the State of Michigan enact:

Appropriation
for erecting
statue of
General Custer.

SECTION 1. There is hereby appropriated from any moneys in the State treasury not otherwise appropriated the sum of twenty-five thousand dollars to erect, at the city of Monroe, in the State of Michigan, an equestrian statue of General George A. Custer; to pay the commissioners appointed by this act to carry it into effect, and for other expenses, as may in the judgment of the commission be actually necessary.

Commission,
appointment
of.

Expenses of,
how paid.

To make
report.

SEC. 2. The Governor shall, within thirty days after the passage of this act appoint a commission consisting of three officers or soldiers who served in the Michigan Cavalry Brigade to carry same into effect. The actual expenses of such commission shall be paid out of the funds herein appropriated, and they shall report to the Governor of the State of Michigan immediately upon the fulfillment of their duties, and such report shall embrace in detail, an abstract of expenditures made, with vouchers therefor.

Tax clause.

SEC. 3. The Auditor General shall add to and incorporate into the State tax for the year nineteen hundred eight, the sum of twenty-five thousand dollars, to be assessed, levied and collected, as other State taxes are assessed, levied and collected, which sum when collected shall be placed to the credit of the general fund to reimburse it for the sum appropriated by section one of this act.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 297.]

AN ACT to fix the salary of the chief law clerk in the Attorney General's Department.

The People of the State of Michigan enact:

SECTION 1. From and after the passage of this act, the chief law clerk in the Attorney General's Department shall receive a salary of eighteen hundred dollars per annum, to be paid from the general fund on the warrant of the Auditor General, in the same manner that salaries are now paid State officers.

Chief law
clerk, salary
of, how paid.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 298.]

AN ACT to provide for the incorporation of burial benefit associations, and for the regulation of their business, and to repeal all acts inconsistent herewith.

The People of the State of Michigan enact:

SECTION 1. Any five or more persons of this State, who by articles of agreement in writing, have associated or shall associate themselves according to the provisions of this act, for the purposes of establishing a burial benefit association to pay funeral benefits not to exceed five hundred dollars, shall, with their successors, constitute a body politic and corporate under the name assumed by them in their articles of association: *Provided*, No two associations organized under this act shall assume the same name or names so similar as to mislead the public.

Number may
incorporate.

Proviso.

SEC. 2. Such articles of association shall state the proposed corporate name of the association; the names and residences of officers and trustees or other persons who are to have or exercise the general control and management of the affairs and funds of the association for the first year, or until the ensuing election, at which all such officers shall be elected by the members; and its principal office or place of business.

Articles, what
to state.

SEC. 3. Such articles of association and duly certified copies of the laws, rules and regulations of the said association and copies of all proposed forms of benefit certificates and applications therefor shall be filed with the Commissioner of Insurance who may require such further information as he may deem necessary. If the purposes of the association conform to the requirements of this act and all provisions of the law have been complied with, the Commissioner

Where filed.

Preliminary
certificate,
when
granted.

Completion of organization.	of Insurance shall certify his approval thereof and furnish the incorporators a preliminary certificate authorizing them to solicit members as hereinafter provided.
Benefit certificates, etc., when may be issued.	<p>SEC. 4. Upon receipt of said certificate from the Commissioner of Insurance, said association may solicit members for the purpose of completing its organization and shall collect from each applicant the amount of not more than one assessment in accordance with its table of rates as provided in its constitution and laws, and shall issue to each such applicant a receipt for the amount so collected. No such association shall incur any liability other than for such advance payments nor issue any benefit certificates nor pay or allow or offer, or promise to pay or allow, any person any burial benefit until actual bona fide applications for burial benefit certificates have been secured from at least one hundred persons, and all such applicants shall have been regularly inspected and certificates of such inspections have been duly filed and approved by the secretary of such association. Nor until there has been submitted to the Commissioner of Insurance, under oath of the president and secretary or corresponding officers of such association, a list of such applicants giving their names and addresses with dates of inspection, date of approval, amount of benefits to be granted, and the rate of regular monthly assessments which shall not be lower for burial benefits than those required by the national fraternal congress mortality table for death benefits with interest at four per cent per annum, plus five per cent for admission by inspection in lieu of medical examination. Nor until it shall be shown to the Commissioner of Insurance by the sworn statement of the treasurer or corresponding officer of such association that at least one hundred applicants have each paid in cash one regular assessment as herein provided for at least fifty dollars each of indemnity to be affected. Such payments shall be credited to the burial benefit fund on account of such applicants and no part of the same shall be used for expenses, and such burial benefit fund shall amount in the aggregate to at least one hundred dollars. Such advance payments shall, during the period of organization, be held in trust for, and if the organization is not completed as hereinafter provided, returned to said applicants.</p>
List of applicants, to whom submitted.	
Statement as to assessment.	
Advance payments, how held.	
Certificate of authority, when granted.	<p>SEC. 5. The Commissioner of Insurance shall make such examination and require such further information as he deems advisable and upon presentation of satisfactory evidence that the association has complied with all the provisions of law, he shall issue to such association a certificate of authority entitling it to transact business until the thirty-first of March of the succeeding year.</p>
Trustees, rules, etc.	<p>SEC. 6. Such association shall be managed by not less than five trustees, who shall prepare rules and regulations for the management of said association, and shall file a copy of the same with the Commissioner of Insurance of this</p>

State. Such trustees shall have the power to amend the laws from time to time: *Provided*, That such amendments shall be reasonable and calculated to promote the general welfare of the association. Proviso.

SEC. 7. Such association shall collect from its membership for burial benefits, of members admitted after medical examination, not less than the fraternal congress table of mortality on a four per cent interest basis, and for those admitted by inspection, not less than five per cent, in excess of fraternal congress table of mortality. Benefits shall be made payable only to the wife, husband, parents, children or some blood relative or member of the family: *Provided*, The association shall by its by-laws provide for the payment of funeral expenses before the benefits shall be payable to the beneficiary named in the certificate: *Provided further*, That where the member has no blood relative he may arrange with the association to pay his funeral expenses. Burial benefits, amount may be collected.
To whom payable.
Proviso, funeral expenses.
Further proviso.

SEC. 8. Associations organized under this act shall be permitted to receive members between the ages of one and sixty years, and are expressly prohibited from receiving into membership a child less than one year of age, or an adult who has passed his sixtieth birthday: *Provided*, That no certificate shall be issued upon the life of any child under ten years of age for more than fifty dollars. Age limit.
Proviso.

SEC. 9. Any association incorporated under this act may create, maintain, disburse and apply a reserve, emergency or surplus fund in accordance with its constitution and laws, and must at all times have on hand in cash or invested in securities permitted by the insurance laws of this State an amount shown to be necessary to redeem all outstanding contracts on a basis of the fraternal congress table of mortality with four per cent interest. Where members have been admitted by inspection in lieu of medical examination, five per cent in addition to such mortality table requirements shall be charged. If a valuation on the above basis shows the association's benefit fund to be impaired, the Commissioner of Insurance shall order such association to levy an extra assessment to make good such impairment and such assessment shall be collected within ninety days from date of such notice. Reserve fund.
Extra assessment, levy of.

SEC. 10. The Commissioner of Insurance or some person appointed by him, shall examine all associations organized under this act at least once in each year and shall make a valuation of the assets and liabilities of such associations in accordance with the fraternal congress table of mortality, and shall furnish a copy of the report of such examination to each society, and each association organized under this act shall pay the actual expenses of such examination. Annual examination.
Expenses.

SEC. 11. No application for injunction or other proceedings for the dissolution of or the appointment of a receiver for any such association or branch thereof shall be enter- Application for receiver, who to make.

tained by any court in this State unless same is made by the Attorney General.

Annual statement, what to state, etc.

SEC. 12. Every association transacting business under this act shall annually, on or before the first day of March, file with the Commissioner of Insurance in such form as he may require, a statement under oath of its president and secretary or corresponding officers, of its condition and standing on the thirty-first day of December next preceding, and of its transactions for the year ending on that date, and shall also furnish such other information as the Commissioner of Insurance may deem necessary. The Commissioner of Insurance may at any other time require any other and further statement he may deem necessary relating to such association. Upon receipt of such report, the Commissioner of Insurance shall, on or before the thirty-first day of March, if he shall be satisfied the association is solvent and carrying out its contracts with its members in good faith, renew the certificate of authority for the succeeding year.

Renewal of certificate of authority.

Benefit funds, investment of.

Proviso.

SEC. 13. The benefit funds of such association shall be invested only in securities permitted by the insurance laws of this State: *Provided*, Such an association may own real estate for an office building not exceeding in value fifty thousand dollars. No part of such funds shall be used for any other purpose than paying funeral benefits, and for the payment of such necessary clerical expenses as may be designated by any such association.

Articles, amendment of, examination, etc.

SEC. 14. Any association incorporated under this act may amend its articles of association at any regular or special meeting of the members duly called. Notice of such meeting shall be given at least fifteen days prior to the time fixed for holding such meeting, and such notice shall state the time, place and purpose of such meeting. Such amendments shall be concurred in by a majority of the members present and voting upon the same. Such amended articles shall not take effect until they have been examined, approved and filed in the manner provided in section two of this act.

Certain associations may reincorporate.

Proviso.

SEC. 15. Associations organized under act one hundred seventy-one of the public acts of nineteen hundred three, entitled "An act for the incorporation of associations not for pecuniary profit," that are engaged in a burial benefit business may reincorporate under this act and shall thereby become subject to all its provisions: *Provided*, That if any such association shall not reincorporate under this act such association shall accept no new business or new membership at less rates than those provided to be collected under the provisions of this act: *Provided further*, That the membership now existing may continue to follow out the plan in force in such associations at the date of the passage of this act: *Provided further*, That the funds collected from such new members shall be used only for paying benefits to the beneficiaries of such members.

Further proviso.

Further proviso.

Approved June 27, 1907.

[No. 299.]

AN ACT authorizing the withdrawal from sale of the Agricultural College lands in the counties of Iosco and Alcona, such lands to be held as a forest reserve for the benefit of the same college; and defining the permanent use thereof.

The People of the State of Michigan enact:

SECTION 1. All of the lands belonging to the Agricultural College of this State, situated in the counties of Iosco and Alcona, be and the same are hereby withdrawn from sale and are now set apart and declared to be a forest reserve to be held by the State for the Board of Agriculture and its successors, to be managed and used by said board as a fund, the income of which shall be applied to the uses and purposes of the Agricultural College of this State. The fee of said lands is hereby declared to be vested in the State forever appropriated to the uses of the Agricultural College.

Forest reserve, certain lands set apart for.

SEC. 2. The Board of Agriculture is charged with the duty of caring for and reforesting, by natural growth and planting of seeds and seedlings, the said reserve with white and red Norway pine and such other valuable timbers as the soil may be found most suitable for, using as far as possible the available students of the college; and in the same manner to cause the said reserve to be gradually surveyed and platted and a complete record made and kept of the condition and character of the soils. The board shall also see that the lands and their growth are properly protected from fire and trespass. So far as practicable, the said forest reserve shall be used for the instruction of the students of the college and for the practice of its forestry students.

Duty of board of agriculture as to reforesting.

Surveying, etc.

Protection from fire, etc.

Reserve to be used for instruction.

SEC. 3. The board is authorized to sell timber in or from said forest reserve and to use the proceeds in the care and protection of the forest so long as needed for such purposes: *Provided*, That the lumbering operations are to be under the direction and control of the board and its agents specially designated for that purpose. No contract of sale of timber thereon shall be made, which does not provide for the cutting of trees selected and designated for the proper clearing up on all cut-over areas of tops, branches and other waste, and the burning of all not available for use under inspection, to prevent the spread of fire to the injury of the young growth and the remaining forest. The necessary provision shall be made to protect and reserve from fire, and the Forest Fire and Game Warden shall co-operate with the Board of Agriculture and its agents to that end. No person shall hunt or camp within the limits of said forest reserve without permission from the board or its agents in charge, and

Timber may be sold.

Proviso as to control of lumbering. Contract of sale of timber, to have certain provisions.

Hunters, etc., not allowed without permission.

Application
of act as to
age.

Proviso, as to
room.

When super-
intendent of
poor to act
for township.

and that of returning them to their counties after their admission, as improper inmates of said school, shall be audited by the Board of State Auditors and paid from the general fund. This act shall, in all respects, apply to children of such age, under one year and between the ages of twelve and fourteen years as said board may elect: *Provided*, That in the case of those under one year of age and between the ages of twelve and fourteen years they shall be received into said school when there is room for them and provision has been made for their support and education while therein, under such regulations as the said board may establish, which shall include the provision that the superintendent of said school, being so authorized by said board, shall endorse on the petition his certificate stating that there is room in the institution for the admission of the child, and that provision has been made for its support and education while therein. In those counties in which the distinction between township and county poor is maintained, it shall be the duty of the superintendents of the poor of such counties, on the written request of the supervisor of such township, to act for such township in securing the admission of dependent children of such township to said school and in all respects, as though such children were supported by the county.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 302.]

AN ACT to amend section one of act number eighty of the public acts of nineteen hundred five, approved May one, nineteen hundred five, entitled "An act to authorize and empower the Board of State Auditors, the Board of Control, Board of Trustees or governing board of certain State institutions, to make, prescribe and enforce rules and regulations for the care, order and preservation of buildings or property dedicated and appropriated to the public use and the conduct of those coming upon the property thereof; to prescribe penalties for a violation thereof and to repeal all acts or parts of acts inconsistent with the provisions of this act."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section one of act number eighty of the public acts of nineteen hundred five, approved May one, nineteen hundred five, entitled "An act to authorize and empower the Board of State Auditors, the Board of Control, Board of Trustees or governing board of certain State institutions, to

make, prescribe and enforce rules and regulations for the care, order and preservation of buildings or property dedicated and appropriated to the public use and the conduct of those coming upon the property thereof; to prescribe penalties for a violation thereof and to repeal all acts or parts of acts inconsistent with the provisions of this act," is hereby amended to read as follows:

SEC. 1. The Board of State Auditors, the Board of Trustees of the Industrial School for Boys, the State Board of Education, the Board of Guardians of the State Industrial Home for Girls, the Board of Control of the Michigan College of Mines, the Board of Trustees of the Eastern Michigan Asylum, the Board of Trustees of the Michigan Asylum for the Insane, the Board of Trustees of the Northern Michigan Asylum, the Board of Trustees of the State Asylum, the Board of Trustees of the Upper Peninsula Hospital for Insane, the Board of Control of the State Prison at Jackson, the Board of Control of the State House of Correction and Branch Prison of the Upper Peninsula, the Board of Control of the Michigan Reformatory at Ionia, the Board of Trustees of the Michigan School for the Deaf, the Board of Control of the Michigan School for the Blind, the Board of Managers of the Michigan Soldiers' Home, the Board of Control of the Michigan Home for Feeble Minded and Epileptic, the Board of Trustees of the Michigan Employment Institution for the Blind, the Board of Control of the State Public School, the State Board of Agriculture, the State Board of Fish Commissioners, the Michigan State Agricultural Society, the Board of Regents of the University of Michigan, and the Board of Trustees of the Michigan State Sanatorium for Tuberculosis, shall have authority to make and prescribe rules and regulations for the care, preservation and protection of buildings and property dedicated and appropriated to the public use, over which they have jurisdiction or power of control and the conduct of those coming upon the property thereof, which may be necessary for the maintenance of good order and the protection of said State property; and shall have authority to enforce such rules and regulations, and empower one or more persons with the authority prescribed in this act, and cause any person or persons found guilty of a violation thereof to be punished in the manner hereinafter prescribed.

State boards
may make
rules for care
of property,
etc.

May enforce
rules and
punish of-
fenders.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 303.]

AN ACT to amend section one of act number thirty-two of the public acts of eighteen hundred seventy-three, entitled "An act to extend aid to the University of Michigan, and to repeal an act, entitled 'An act to extend aid to the University of Michigan,' approved March fifteen, eighteen hundred sixty-seven, being sections three thousand five hundred six and three thousand five hundred seven of the Compiled Laws of eighteen hundred seventy-one," as amended by act number one hundred two of the public acts of eighteen hundred ninety-nine.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section one of act number thirty-two of the public acts of eighteen hundred seventy-three, entitled "An act to extend aid to the University of Michigan, and to repeal an act, entitled 'An act to extend aid to the University of Michigan,' approved March fifteen, eighteen hundred sixty-seven, being sections three thousand five hundred six and three thousand five hundred seven of the Compiled Laws of eighteen hundred seventy-one," as amended by act number one hundred two of the public acts of eighteen hundred ninety-nine, is hereby amended to read as follows:

Three-eighths
mill tax, how
assessed and
paid.

SEC. 1. There shall be assessed upon the taxable property of the State, as fixed by the State Board of Equalization, in the year nineteen hundred seven, and in each year thereafter, for the use and maintenance of the University of Michigan, the sum of three-eighths of a mill on each dollar of said taxable property to be assessed and paid into the State treasury of the State in like manner as other State taxes are by law levied, assessed and paid; which tax, when collected, shall be paid by the State Treasurer to the Board of Regents of the University in like manner as the interest on the University fund is paid to the treasurer of said board; and the Regents of the University shall make an annual report to the Governor of the State of all the receipts and expenditures of the University: *Provided*, That the Board of Regents shall not authorize the building or the commencement of any additional building or buildings or other extraordinary repairs until the accumulation of savings from this fund shall be sufficient to complete such building or other extraordinary expense: *Provided further*, That the Board of Regents of the University shall maintain at all times a sufficient corps of instructors in all the departments of said University as at present constituted, shall afford proper means and facilities for instruction and graduation in each department of said University, and shall make a fair and equitable division of the funds provided for the support of the University in accord with the wants and needs of said departments as they

Regents to
make annual
report to
Governor.
Proviso, as to
buildings.

Further pro-
viso, instruc-
tors.

Division of
funds.

shall become apparent; said departments being known as the department of literature, science and art, department of medicine and surgery, department of law, school of pharmacy, homeopathic medical college and the department of dental surgery. Should the Board of Regents fail to maintain any of said departments herein provided, then at such time shall only one-twentieth of a mill be so assessed: *Provided further*, That the State Treasurer be and is hereby authorized and directed to pay to the Regents of the University in the year nineteen hundred seven and each year thereafter, in such manner as is now provided by law, upon the warrant of the Auditor General, the amount of the mill tax provided for by this act; and that the State treasury be reimbursed out of the taxes annually received from said mill tax when collected; and said Auditor General shall issue his warrants therefor as in the case of special appropriations.

Tax, when reduced.

Further proviso, payment, how made.

Warrants, how issued.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 304.]

AN ACT to amend sections two, three, four, six, eight, seventeen and twenty-seven of act number one hundred ninety-six of the public acts of nineteen hundred five, approved June thirteen, nineteen hundred five, entitled "An act to provide for the registration and identification of motor vehicles, the registration of chauffeurs, to regulate the use of motor vehicles and the use of public highways by such vehicles, and persons passing such vehicles, and to provide penalties for the violation thereof."

The People of the State of Michigan enact:

SECTION 1. Sections two, three, four, six, eight, seventeen and twenty-seven of act number one hundred ninety-six of the public acts of nineteen hundred five, approved June thirteen, nineteen hundred five, entitled "An act to provide for the registration and identification of motor vehicles, the registration of chauffeurs, to regulate the use of motor vehicles and the use of the public highways by such vehicles and persons passing such vehicles, and to provide penalties for the violation thereof," are hereby amended to read as follows:

Sections amended.

SEC. 2. Every person now owning or hereafter acquiring a motor vehicle shall, for every vehicle owned by him, file in the office of the Secretary of State, a statement containing the name and address, with a brief description of the vehicle so owned by him to be registered, including the name of the maker, factory number, style of vehicles and motor power,

Owner to file statement.

Secretary of State to register vehicle, issue certificate, etc.

Seal to be attached to vehicle.

Certificate, term of.

Applications for renewal, when made.

When certificate cancelled and number reissued.

Registration fee.

Proviso.

Further proviso, present certificates, when to expire.

Proceedings on sale of vehicle.

on a blank to be prepared and furnished by said Secretary of State for that purpose. Upon the filing of said statement as aforesaid, said Secretary of State shall register such motor vehicle in a book or index to be kept for that purpose and assign it a distinctive number and shall forthwith issue and deliver to the owner of such motor vehicle a certificate of registration, together with a seal of aluminum or other suitable metal, which said seal shall be circular in form, approximately two inches in diameter, and shall have stamped thereon the words "Registered Motor Vehicle No., Michigan Motor Vehicle Law," with the registration number and any other data deemed necessary by the Secretary of State inserted therein, which said seal shall thereafter at all times be conspicuously displayed on the motor vehicle, to which such number has been assigned. The said certificate of registration shall contain the same words and number as the seal, and shall further contain the name of the owner of the vehicle so registered as aforesaid, his address, the name of the maker of the said vehicle, factory number, style and motor power, and the date of registration, which date of registration shall be the day on which the application is received at the office of the Secretary of State. Such certificate of registration shall remain in force for one year from and after the first day of the month following the date of such certificate. Applications for renewal of any certificate of registration shall be made to the Secretary of State any time within thirty days previous to the date of the expiration of such certificate, and if no application for a renewal is received during the time above mentioned, the Secretary of State shall cancel such certificate and reissue the number. For the registration and issuing of a certificate and seal, a fee of one dollar shall be paid to the Secretary of State and a fee of fifty cents for each renewal of the same: *Provided*, That in case no application for renewal of a certificate of registration is received on or before the twentieth day of the month preceding the date of expiration of such certificate, the Secretary of State shall send written notice to the person or firm to whom such certificate was originally issued of the date when such certificate will expire: *Provided further*, That all certificates of registration issued during the years of nineteen hundred five, nineteen hundred six and nineteen hundred seven shall expire in two years, one year and six months, and one year, respectively, from and after the first day of the month following the date of such certificates. The provisions of this section, relating to the renewal of certificates, shall apply to the above mentioned certificates of registration.

SEC. 3. Upon the sale of a registered motor vehicle, registered in accordance with the above section, the vendor shall return to the Secretary of State within ten days from the date of such sale, his said certificate and seal and such certificate shall be cancelled, and the number reissued by the

Secretary of State: *Provided*, That the vendor may upon application at the time of returning such certificate and seal, have a new certificate issued to him, containing the original registration number for a motor vehicle described in such application and owned by him and which is not licensed under the law. A fee of one dollar shall be paid to the Secretary of State for the issue of such new certificate, which shall remain in force for one year from and after the first day of the month following the date of issue.

Proviso.

Fee.

SEC. 4. In addition to the conspicuous display of the seal as provided in section two of this act, it shall be the duty of the owner of each and every motor vehicle, at all times to have displayed upon the front and rear of the body of such vehicle, in such manner as to be plainly visible, the number assigned to it by the Secretary of State, said numbers to be in Arabic numerals, black on white ground or white on black ground, and not less than three inches in height, and each stroke to be of a width not less than one-half inch, and also as a part of said number the name of the State in full or abbreviated, and of the same color and on the same ground as the numerals, the letters of the name to be not less than one inch in height. There shall also be displayed upon every motor vehicle in use upon any public highway during the period from one hour after sunset to one hour before sunrise, two lamps in the front of said motor vehicle, showing a white light, visible within a reasonable distance in the direction which such vehicle is proceeding, and also a red light in the rear of said motor vehicle, and visible for a reasonable distance in the reverse direction: *Provided*, That it shall be unlawful to display more than one registration number upon the rear of such motor vehicle, or a number which does not entitle the holder thereof to operate such motor vehicle upon the public highways of the State.

Number to be displayed on front and rear, color, size, etc.

Front and rear lamps.

Proviso.

SEC. 6. Every manufacturing company or dealer in automobiles or persons conducting an automobile livery, may, instead of registering each automobile or other similar motor vehicle owned by him or them, make application upon a blank provided by said Secretary of State for a general registration, and said Secretary of State shall, if satisfied of the facts stated in said application, issue to the applicant one general certificate of registration, together with five aluminum seals, as provided for in section two of this act, and all automobiles and other motor vehicles owned by such manufacturing company, dealer or liveryman, and having displayed thereon a seal containing the general registration number, shall, until sold, be regarded as a registered motor vehicle under this law. The fee for such registration, which shall include five aluminum seals, shall be five dollars. Additional duplicate seals may be obtained by any manufacturing company, dealer or liveryman, upon application to the Secretary of State and on the payment of fifty cents for each duplicate seal. Every manufacturing company, dealer in automobiles

Relative to manufacturer, etc., general registration.

Fee.

Duplicate seals.

Renewals.

Secretary of State to register vehicle, issue certificate, etc.

Seal to be attached to vehicle.

Certificate, term of.

Applications for renewal, when made.

When certificate cancelled and number reissued.

Registration fee.

Proviso.

Further proviso, present certificates, when to expire.

Proceedings on sale of vehicle.

on a blank to be prepared and furnished by said Secretary of State for that purpose. Upon the filing of said statement as aforesaid, said Secretary of State shall register such motor vehicle in a book or index to be kept for that purpose and assign it a distinctive number and shall forthwith issue and deliver to the owner of such motor vehicle a certificate of registration, together with a seal of aluminum or other suitable metal, which said seal shall be circular in form, approximately two inches in diameter, and shall have stamped thereon the words "Registered Motor Vehicle No., Michigan Motor Vehicle Law," with the registration number and any other data deemed necessary by the Secretary of State inserted therein, which said seal shall thereafter at all times be conspicuously displayed on the motor vehicle, to which such number has been assigned. The said certificate of registration shall contain the same words and number as the seal, and shall further contain the name of the owner of the vehicle so registered as aforesaid, his address, the name of the maker of the said vehicle, factory number, style and motor power, and the date of registration, which date of registration shall be the day on which the application is received at the office of the Secretary of State. Such certificate of registration shall remain in force for one year from and after the first day of the month following the date of such certificate. Applications for renewal of any certificate of registration shall be made to the Secretary of State any time within thirty days previous to the date of the expiration of such certificate, and if no application for a renewal is received during the time above mentioned, the Secretary of State shall cancel such certificate and reissue the number. For the registration and issuing of a certificate and seal, a fee of one dollar shall be paid to the Secretary of State and a fee of fifty cents for each renewal of the same: *Provided*, That in case no application for renewal of a certificate of registration is received on or before the twentieth day of the month preceding the date of expiration of such certificate, the Secretary of State shall send written notice to the person or firm to whom such certificate was originally issued of the date when such certificate will expire: *Provided further*, That all certificates of registration issued during the years of nineteen hundred five, nineteen hundred six and nineteen hundred seven shall expire in two years, one year and six months, and one year, respectively, from and after the first day of the month following the date of such certificates. The provisions of this section, relating to the renewal of certificates, shall apply to the above mentioned certificates of registration.

SEC. 3. Upon the sale of a registered motor vehicle, registered in accordance with the above section, the vendor shall return to the Secretary of State within ten days from the date of such sale, his said certificate and seal and such certificate shall be cancelled, and the number reissued by the

Secretary of State: *Provided*, That the vendor may upon Proviso.
 application at the time of returning such certificate and seal,
 have a new certificate issued to him, containing the original
 registration number for a motor vehicle described in such
 application and owned by him and which is not licensed
 under the law. A fee of one dollar shall be paid to the Sec- Fee.
 retary of State for the issue of such new certificate, which
 shall remain in force for one year from and after the first
 day of the month following the date of issue.

SEC. 4. In addition to the conspicuous display of the Number to be
 displayed on
 front and
 rear, color,
 size, etc.
 seal as provided in section two of this act, it shall be the duty
 of the owner of each and every motor vehicle, at all times to
 have displayed upon the front and rear of the body of such
 vehicle, in such manner as to be plainly visible, the number
 assigned to it by the Secretary of State, said numbers to be
 in Arabic numerals, black on white ground or white on black
 ground, and not less than three inches in height, and each
 stroke to be of a width not less than one-half inch, and also
 as a part of said number the name of the State in full or
 abbreviated, and of the same color and on the same ground
 as the numerals, the letters of the name to be not less than
 one inch in height. There shall also be displayed upon every Front and
 rear lamps.
 motor vehicle in use upon any public highway during the
 period from one hour after sunset to one hour before sunrise,
 two lamps in the front of said motor vehicle, showing a
 white light, visible within a reasonable distance in the direc-
 tion which such vehicle is proceeding, and also a red light
 in the rear of said motor vehicle, and visible for a reasonable
 distance in the reverse direction: *Provided*, That it shall be Proviso.
 unlawful to display more than one registration number upon
 the rear of such motor vehicle, or a number which does not
 entitle the holder thereof to operate such motor vehicle upon
 the public highways of the State.

SEC. 6. Every manufacturing company or dealer in auto- Relative to
 manufacturer,
 etc., general
 registration.
 mobiles or persons conducting an automobile livery, may,
 instead of registering each automobile or other similar motor
 vehicle owned by him or them, make application upon a
 blank provided by said Secretary of State for a general reg-
 istration, and said Secretary of State shall, if satisfied of the
 facts stated in said application, issue to the applicant one
 general certificate of registration, together with five alumi-
 num seals, as provided for in section two of this act, and all
 automobiles and other motor vehicles owned by such manu-
 facturing company, dealer or liveryman, and having displayed
 thereon a seal containing the general registration number,
 shall, until sold, be regarded as a registered motor vehicle
 under this law. The fee for such registration, which shall in- Fee.
 clude five aluminum seals, shall be five dollars. Additional Duplicate
 seals.
 duplicate seals may be obtained by any manufacturing com-
 pany, dealer or liveryman, upon application to the Secretary
 of State and on the payment of fifty cents for each duplicate
 seal. Every manufacturing company, dealer in automobiles Renewals.

Proviso, general license not to be used on private vehicle.

Chauffeur, application, what to include, etc.

Secretary of State to register, deliver certificate, badge, etc.

Badge, description of, when worn.

Certificate of registration, what to contain.

Passing of vehicle.

or liveryman, registered under this section, may renew their certificate of registration on the payment of two dollars and fifty cents, in the same manner and under the same conditions as are provided for the renewal of owners' licenses in section two of this act: *Provided*, That no general license, issued in accordance with the provisions of this section, shall apply or be used upon any motor vehicle which may be owned individually by any member or stockholder of any manufacturing company, firm or association.

SEC. 8. Every person hereafter desiring to operate a motor vehicle as a chauffeur, shall file in the office of the Secretary of State, on a blank to be prepared and furnished by said Secretary of State, an application which shall include his name and address and contain a statement signed by at least two responsible citizens of this State, setting forth that the applicant is a person of reliability, experienced in the operation of motor vehicles. Upon the filing of said statement as aforesaid, said Secretary of State shall register such chauffeur in a book or index to be kept for that purpose and assign to him a distinctive number, and deliver to him a certificate of registration together with a badge of aluminum or other suitable metal, which said badge shall be oval in form, approximately two inches in length and shall have stamped thereon the words "Registered Chauffeur No. Michigan Motor Vehicle Law," with the registration number and any other data deemed necessary by the Secretary of State, inserted therein, which said badge shall thereafter at all times be conspicuously worn by such chauffeur while operating a motor vehicle upon the public highways. The said certificate of registration shall contain the same words and number as the badge, and shall further contain his name and address and the date of registration, which said date of registration shall be the day on which the application is received at the office of the Secretary of State. Said certificate shall remain in force for one year from and after the first day of the month following the date of such certificate. The provisions of section two of this act, relative to the expiration, cancellation and notice of expiration of certificates of registration, and the fees for such certificates and renewals in the registration of motor vehicles shall apply to the registration of chauffeurs.

SEC. 17. If a vehicle drawn by a horse or horses or other draft animals, or a motor vehicle, be overtaken by any motor vehicle, and the person in charge of such motor vehicle expresses a desire to pass, it shall be the duty of the driver of any such vehicle or motor vehicle so overtaken as aforesaid, to turn either to the right or to the left of the center of the wrought traveled portion of the highway, and give the person so making the request an opportunity to pass, but in passing, the person in charge of such motor vehicle and the other male occupants thereof over the age of fifteen years shall give such assistance as they are able to the occupant or occupants

of the vehicle they are passing, if assistance is asked, and in thus passing, the chauffeurs shall use all due care to avoid accidents.

SEC. 27. The Secretary of State shall cause to be printed each and every year a list of all motor vehicles registered under the provisions of this act, and shall mail a copy of said list to every city and village clerk, sheriff of every county and chief of police of every city, and marshal of every village in the State of Michigan: *Provided further*, That a copy of said list shall be furnished upon application to each person receiving a motor vehicle license under this law, and to any other person a copy shall be furnished upon the payment of one dollar. Said list shall contain the names of all persons registering vehicles, their place of residence, the make of vehicle and the registered number of the same.

List of motor vehicles, to whom furnished, etc.

Proviso.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 305.]

AN ACT to amend section one of act number one hundred ninety-seven of the public acts of the State of Michigan of the year eighteen hundred ninety-one, entitled "An act to authorize the consolidation of street railway and electric light companies," being section six thousand four hundred sixty-eight of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section one of act number one hundred ninety-seven of the public acts of Michigan of the year eighteen hundred ninety-one, entitled "An act to authorize the consolidation of street railway and electric light companies," being section six thousand four hundred sixty-eight of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Section amended.

SEC. 1. Any company organized under chapter ninety-five of Howell's Annotated Statutes of Michigan, entitled "Street Railway Companies," may consolidate with any company now organized or existing under and by virtue of the laws of this State, for the production and supplying of electricity for lighting, fuel or other purposes, including as one such company any such company that may have resulted from consolidation heretofore had where such companies are located and carry on business in the same or adjoining or adjacent towns, cities or villages, town, city or village, and may form a single corporation. And for this purpose the directors

Consolidation authorized.

How effected.

To assist in
drafting bills,
etc.

as to proposed and pending legislation in other states, and shall also investigate the operation and effect of new legislation in other states and countries to the end that either house of the legislature or any committee or member thereof or any citizen of the State may have the fullest information thereon. He shall also give such advice and assistance to the member [members] of the legislature as they may require in the preparation of bills and resolutions, and shall draft bills upon such subjects as they may desire.

To file certain
bills, etc.

SEC. 4. At the close of each session of the legislature, the secretary of the senate and the clerk of the house, shall, at his request, deliver to the said assistant, to be appropriately filed and preserved, such copies of bills and joint resolutions which shall not have been passed and are still remaining in their hands, also all important petitions and memorials and other legislative documents.

Furnishing of
supplies, etc.

SEC. 5. The Board of State Auditors shall furnish, on the requisition of the State Librarian, all such cases as are necessary for the cataloging, indexing and filing of the materials and information collected by said department, and all other supplies of said department shall be drawn by the State Librarian in the manner provided by law. Such printing and binding as may be necessary for said department shall be done as part of the printing and binding for the State.

Tax clause.

SEC. 6. The Auditor General shall add to and incorporate into the State tax the sum of two thousand five hundred dollars annually, and such amount is hereby appropriated from the general funds of the State, which said sum shall be included in the State taxes apportioned by the Auditor General on all taxable property of the State, to be levied, assessed and collected, as other State taxes, and when so assessed and collected, to be paid into the general fund to reimburse said fund for the appropriation made by this act.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 307.]

AN ACT to provide for co-insurance rider clauses to be attached to the Michigan standard policy of fire insurance.

The People of the State of Michigan enact:

Co-insurance
clause, when
may be
issued.

SECTION 1. Whenever any person, firm or corporation shall make written application to any insurance company authorized to do business within the State of Michigan, to attach to any existing policy or to one to be issued by such

corporations. A copy of said contract or consolidation agreement filed in pursuance of this act with the Secretary of State, and certified by him to be a copy, shall in all courts and places be presumptive evidence of the consolidation of said two companies, and of all the facts therein stated.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 306.]

AN ACT to provide for a legislative reference and information department in connection with the State Library, to make an appropriation therefor, and to provide a tax to meet the same.

The People of the State of Michigan enact:

SECTION 1. There is hereby created and shall be hereafter maintained in connection with the State Library, a department to be known as the legislative reference and information department for the use and information especially of members of the senate and house of representatives, the several State departments and such other persons as may desire to consult the same. It shall be located in the State capitol as conveniently as possible for members of the senate and house of representatives.

Certified copy
to be evi-
dence, etc.

Information
department,
creation of.

Where lo-
cated.

SEC. 2. The State Librarian, within ten days after this act shall take effect, shall appoint an assistant, who shall be a person trained in political economy and otherwise fitted to perform the duties of this office as herein defined, who shall have charge of said department under the supervision of the State Librarian and perform the duties hereinafter prescribed. He shall receive an annual salary of fifteen hundred dollars, payable in the same manner as the salaries of other assistants in the State Library. The State Librarian shall also appoint some suitable person, trained in political economy and of known capability in indexing and cataloging, as clerk, who shall receive an annual salary of ten hundred dollars, payable in the same manner as the salaries of other assistants in the State Library are paid.

Assistant,
qualifications
of, when and
by whom ap-
pointed.

Salary of

Clerk, ap-
pointment of,
salary.

SEC. 3. The said assistant shall, as soon as possible, make available for ready reference and use, suitable indexes to all such information as is contained in the various public documents of this State and other states, including senate and house documents and legislative journals, and shall keep a complete file of all bills printed by order of either house of the legislature. He shall procure and compile in suitable and convenient form, for ready reference and access, information

To procure
information
from public
documents.

As to legisla-
tion in other
states and
countries.

To assist in
drafting bills,
etc.

as to proposed and pending legislation in other states, and shall also investigate the operation and effect of new legislation in other states and countries to the end that either house of the legislature or any committee or member thereof or any citizen of the State may have the fullest information thereon. He shall also give such advice and assistance to the member [members] of the legislature as they may require in the preparation of bills and resolutions, and shall draft bills upon such subjects as they may desire.

To file certain
bills, etc.

SEC. 4. At the close of each session of the legislature, the secretary of the senate and the clerk of the house, shall, at his request, deliver to the said assistant, to be appropriately filed and preserved, such copies of bills and joint resolutions which shall not have been passed and are still remaining in their hands, also all important petitions and memorials and other legislative documents.

Furnishing of
supplies, etc.

SEC. 5. The Board of State Auditors shall furnish, on the requisition of the State Librarian, all such cases as are necessary for the cataloging, indexing and filing of the materials and information collected by said department, and all other supplies of said department shall be drawn by the State Librarian in the manner provided by law. Such printing and binding as may be necessary for said department shall be done as part of the printing and binding for the State.

Tax clause.

SEC. 6. The Auditor General shall add to and incorporate into the State tax the sum of two thousand five hundred dollars annually, and such amount is hereby appropriated from the general funds of the State, which said sum shall be included in the State taxes apportioned by the Auditor General on all taxable property of the State, to be levied, assessed and collected, as other State taxes, and when so assessed and collected, to be paid into the general fund to reimburse said fund for the appropriation made by this act.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 307.]

AN ACT to provide for co-insurance rider clauses to be attached to the Michigan standard policy of fire insurance.

The People of the State of Michigan enact:

Co-insurance
clause, when
may be
issued.

SECTION 1. Whenever any person, firm or corporation shall make written application to any insurance company authorized to do business within the State of Michigan, to attach to any existing policy or to one to be issued by such

company, the latter shall have the right to issue and attach such co-insurance clause, but not otherwise.

SEC. 2. Such application shall be made substantially in the following form: Application, form of.

.....hereby request that there be attached to policy number of the insurance company, the following co-insurance clause, to-wit:

“It is hereby agreed that the assured shall maintain insurance during the life of this policy upon the property hereby insured, to the extent of at least per cent. of the actual cash value thereof, and that failing to do so, the assured shall be a co-insurer to the extent of the difference between the amount insured and the said per cent. of the cash value, and to that extent shall bear his, her or their proportion of any loss. It is also agreed that if this policy be divided into two or more items, the foregoing conditions shall apply to each item separately;” Clause, form of.

To the provisions of which agree in consideration of a reduced premium rate.

It is understood by the undersigned that the effect of the above mentioned co-insurance clause, when attached, will be to reduce the liability of the insurance company, unless the property described in the policy covered by said insurance is insured for per cent. of its actual cash value, except where the loss exceeds the amount of the insurance required under this clause.

SEC. 3. All co-insurance rider clauses attached to any insurance policy in pursuance of the application mentioned in the preceding paragraph shall be in the form therein stated and duly signed by the company or its authorized agent. To be in form stated and signed.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 308.]

AN ACT to provide for the incorporation of boards of control of hospitals, asylums, homes for the care of indigent, aged or infirm persons, or other charitable institutions.

The People of the State of Michigan enact:

SECTION 1. Whenever there shall exist any hospital; asylum, home for the care of indigent, aged or infirm persons, or any other charitable institution in this State, the legal title to which and the land used in connection therewith has been conveyed to one or more persons in trust, for charitable purposes, and the care and management of which institution is entrusted to a board of control consisting of five or more Incorporation of charitable institutions.

persons, appointed from one or more charitable, religious or fraternal bodies, in pursuance of the provisions contained in the deed conveying the legal title of such institution and land to such trustees, such board of control may become incorporated by executing under their hands and acknowledging before some person in this State authorized to take the acknowledgment of deeds, duplicate articles of incorporation, one of which shall be filed in the office of the Secretary of State, and one of which shall be recorded in the clerk's office of the county in which the office of such corporation may be located, and upon the execution and acknowledgment of such articles, the signers thereof shall become and be a body politic and corporate, for the objects and purposes set forth in said articles, and may sue and be sued, adopt a common seal and change the same, and may exercise all the powers and shall be subject to all the responsibilities conferred and imposed by this act.

Articles of,
what to con-
tain.

SEC. 2. Said articles of incorporation shall contain and declare:

Name and
place.

First, The name of the corporation, the place where its office for the transaction of its business is located, and the city, town or county in which such hospital, asylum, home for the care of indigent, aged or infirm persons, or other charitable institution is located and the period for which it is incorporated, not exceeding thirty years;

Object.

Second, The objects of said corporation, which shall be stated with all convenient fullness and certainty;

Names of
members of
board of con-
trol, etc.

Third, The names of the members of the board of control incorporating in the first instance, their places of residence, and the charitable, religious or fraternal body or bodies from which they were appointed respectively;

Number of
members.

Fourth, The total number of persons composing said board of control;

Elective
offices.

Fifth, The regular offices of said corporation, to be filled by election;

Terms of
membership.

Sixth, The terms and conditions of membership therein.

Board of
control,
powers of.

SEC. 3. The persons forming such corporation shall have power to adopt by-laws and to provide by such by-laws for the officers of the corporation and their election, also the time and place of holding its annual meetings, and may make such other provisions in the by-laws as they may deem expedient for the proper control of said corporation; such by-laws may also provide how the same may be altered and amended.

Gifts of
moneys, how
invested.

SEC. 4. Such corporation may receive gifts and bequests of money for the benefit of the hospital, asylum, home for the care of indigent, aged or infirm persons, or other charitable institution which it has in its charge, and invest the same in its corporate name in such securities as it may deem prudent, unless the class of securities in which such money is to be invested is specified in the gift or bequest of the same, in which case it shall be invested in the class of securi-

ties specified in such gift or bequest. It may also receive gifts and devises of real estate and personal property for like purposes, and shall have power to sell such real estate and personal property as shall be given to it, and invest the proceeds thereof in the same manner as is provided in this act for the investment of gifts and bequests of money whenever, in the judgment of the proper officers or committee or committees of such corporation it may be deemed beneficial to such institution.

Gifts of real estate, etc.

Proceeds from sale of, how invested.

SEC. 5. Any corporation organized under the provisions of this act, whose corporate existence is about to expire by limitation, may extend its corporate existence for a term not exceeding thirty years, by filing with the Secretary of State and county clerk of the county where such corporation is located, duly attested copies of a resolution adopted by such corporation at a meeting of its members, called in accordance with the provisions of its by-laws, expressing a desire to so extend its corporate existence, and upon the filing of such resolution as above specified, the corporate existence of such body shall be extended in accordance with the provisions of such resolution, for a period of not exceeding thirty years from the date of the expiration of its former term, and all rights of property and of contract shall remain unimpaired and the corporate identity of such corporation remain unchanged.

Corporate existence, how may be extended.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 309.]

AN ACT to amend the title and sections two, three, nine, eleven, sixteen and seventeen of act number one hundred forty-six of the public acts of nineteen hundred five, being an act, entitled "An act to create and establish a State highway department by the appointment of a State Highway Commissioner and assistants, and defining the powers and duties of the office, and to provide for a system of State co-operation with townships and counties in the improvement of the public wagon roads, and to make an appropriation therefor for the fiscal years ending June thirty, nineteen hundred six, and June thirty, nineteen hundred seven, and to provide a tax to meet the same."

The People of the State of Michigan enact:

SECTION 1. The title and sections two, three, nine, eleven, sixteen and seventeen of act number one hundred forty-six of the public acts of nineteen hundred five, being an act, en-

Title and sections amended.

titled "An act to create and establish a State highway department by the appointment of a State Highway Commissioner and assistants, and defining the powers and duties of the office, and to provide for a system of State co-operation with townships and counties in the improvement of the public wagon roads, and to make an appropriation therefor for the fiscal years ending June thirty, nineteen hundred six, and June thirty, nineteen hundred seven, and to provide a tax to meet the same," are hereby amended to read as follows:

An act to create and establish a State highway department by the appointment of a State Highway Commissioner and assistants, and defining the powers and duties of the office, and to provide for a system of State co-operation with townships and counties in the improvement of the public wagon roads, and to make an appropriation therefor, and to provide a tax to meet the same.

State highway commissioner; appointment, term, salary, etc.

Deputy.

Employees.

Salaries and expenses, how paid.

Vacancy.

Oath and bond of commissioner.

SEC. 2. The chief officer of said department shall be nominated the State Highway Commissioner. He shall be a citizen of this State, and shall have his office at the seat of government, and personally superintend the duties thereof. He shall be appointed by the Governor by and with the advice and consent of the senate, on or before the first day of July, nineteen hundred five, and shall hold his office for the term of four years from and after said first day of July, nineteen hundred five, and until his successor is duly appointed and qualified. He shall receive an annual salary of twenty-five hundred dollars. He may appoint a deputy, who shall be a competent civil engineer, with the approbation of the Governor, and may revoke such appointment at pleasure. Such deputy shall take and subscribe the oath prescribed by the constitution, and whenever the commissioner shall be disabled from executing the duties of his office, his deputy, duly appointed, shall execute the duties thereof until such disability be removed. Such deputy shall receive an annual salary of eighteen hundred dollars. The commissioner may employ such other clerks or employes as may be necessary to perform the duties incumbent upon the department. The salaries of the commissioner, deputy commissioner and others employed by authority of this act shall be paid upon the warrant of the Auditor General, in the same manner as other State officials and employes are paid; and all other expenses shall be approved by the State Board of Auditors and paid upon the warrant of the Auditor General. Whenever a vacancy shall occur in said office of commissioner, by reason of death, resignation or otherwise, the Governor shall fill such vacancy by appointment, by and with the advice and consent of the senate. The commissioner shall within fifteen days from the time of notice of his appointment, take and subscribe the oath of office prescribed by the constitution, and shall file the same in the office of the Secretary of State, and the said commissioner shall give to the people

of the State of Michigan, a bond in the penal sum of five thousand dollars, with sureties to be approved by the Auditor General, conditioned for the faithful discharge of the duties of his office. The commissioner shall make a biennial report to the Governor, which report shall contain the names and compensation of each and every person that may be or has been employed by the department and the whole amount of expenses by the department during the interim not previously reported. Such report shall be made on or before the first day of February, nineteen hundred seven, and every two years thereafter, and the commissioner shall have printed a sufficient number of these reports to provide every township highway commissioner, county highway commissioner and superintendent or commissioner of streets in the State with one, and enough more to satisfy the demand that the public weal may warrant.

Biennial report what to contain, etc.

SEC. 3. The highway commissioners of the several townships in each and every county in the State, and the county highway commissioners in counties working under the county road law, shall meet annually in a road institute, at such time and place in each county as the State Highway Commissioner may designate, there to consider such matters as he may present to their attention, and to discuss such matters of road improvement as may be of special interest to such township and county highway commissioners, and every township highway commissioner may collect from his township the same per diem for this day as for one spent in actual road work, and his actual expenses in attending such institute shall, if reasonable, be allowed by the township board and shall be paid by said township. Every county highway commissioner may collect from his county the same per diem for this day as for one spent in actual road work, and his actual expenses in attending such institute, shall, if reasonable be allowed by the board or committee, or county auditors who may have the authority in such matters in the county of which he is a county highway commissioner, and shall be paid by said county.

Road institute, when held, who to attend, etc.

Per diem and expenses of commissioners.

SEC. 9. Whenever any township shall file notice with the State highway department through its township board, or when any county commissioners in counties under the county road law, shall do likewise, that the township or townships acting conjointly on boundary line roads or county or counties acting conjointly on boundary line roads has made arrangements to improve a mile or more of public wagon road by building a clay gravel, a gravel, a stone gravel, a gravel stone or macadam road, and shall ask for an allotment of State reward, and shall file with the department a profile of the road to be improved, made out by a competent surveyor, and shall make application for outline plans and general specifications, it shall be the duty of the State Highway Commissioner to enter such application in the order in which it is received, and to furnish the outline plans and general

Notice to department for allotment of state reward.

Duty of state commissioner.

specifications asked for, and provided there are any funds in the State treasury not yet allotted, appropriated for State reward for roads, he shall make the allotment, and providing the fund appropriated for State reward, shall have all been allotted, then the allotment shall be made as soon as there shall be available funds in the State treasury. When any township or townships acting conjointly on boundary line roads or any county or counties acting conjointly on boundary line roads has built a mile or more of such road as is hereinafter described, and when inspected by the State Highway Commissioner, or by some one acting under authority of the commissioner is found to be up to the required standard, he shall providing there are funds in the State treasury for the paying of this reward verify the same to the Auditor General of the State, who shall draw a warrant upon the State Treasurer, payable to the proper authorities in such township or county or townships or counties for the amount of reward due them, for the amount and class of road built. And providing there are no funds in the State treasury for the paying of such reward, as soon as sufficient moneys shall become available, the State Highway Commissioner shall verify the same to the Auditor General, who shall draw his warrant as above set forth: *Provided*, That the road shall be kept in as good condition as when approved by the commissioner, until the payment of the reward thereon.

In case no
funds for
payment.

Proviso.

Reward lim-
ited in one
year.

Proviso.

SEC. 11. No claim for State reward for improved roads of over two miles in any one township in any one fiscal year shall be allowed by the State Highway Commissioner: *Provided, however*, If any township or county shall have raised money by tax or by sale of bonds to build a mile or more of road such as merits State reward, and the road shall be built and approved by the State Highway Commissioner, and this road is kept in as good condition as when approved by the commissioner, such township or county shall have its application number remain upon the books of the department and draw from the State reward fund each year, until such time as the township or county has received the amount due for the class and amount of road built: *Provided*, Money has been appropriated for State reward. In case the road building money was raised by the sale of bonds, the State reward money shall be used only for the payment of the principal of the bonds.

Proviso.

Appropriation.

Expenses;
state reward
fund.

SEC. 16. To carry out the provisions of this act, there is hereby appropriated for the fiscal year ending June thirty, nineteen hundred eight the sum of one hundred ten thousand dollars and for the fiscal year ending June thirty, nineteen hundred nine the sum of one hundred sixty thousand dollars; of which ten thousand dollars each year constitutes the sum to be used for the running expenses of the department, and the balance constitutes the State reward fund, for encouraging the improvement of the public wagon roads. Any moneys remaining in either or both of these funds at the

close of any fiscal year, shall, by the Auditor General be carried over and added to the funds which become available for the year following.

SEC. 17. The Auditor General shall add to and incorporate in the State tax for the year nineteen hundred seven the sum of one hundred ten thousand dollars, and for the year nineteen hundred eight the sum of one hundred sixty thousand dollars, which when collected shall be credited to the general fund to reimburse the same for the money hereby appropriated. Tax clause.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 310.]

AN ACT to amend act two hundred six of the public acts of nineteen hundred one, entitled "An act to prescribe the terms and conditions on which foreign corporations may be admitted to do business in Michigan," as amended by act thirty-four of the public acts of nineteen hundred three.

The People of the State of Michigan enact:

SECTION 1. Act two hundred six of the public acts of nineteen hundred one, entitled "An act to prescribe the terms and conditions on which foreign corporations may be admitted to do business in Michigan," as amended by act thirty-four of the public acts of nineteen hundred three, is hereby amended to read as follows: Act amended.

SEC. 1. It shall be unlawful for any corporation organized under the laws of any state of the United States, except the State of Michigan, or of any foreign country, to carry on its business in this State, until it shall have procured from the Secretary of State of this State a certificate of authority for that purpose. To procure such certificate of authority every such foreign corporation or association shall comply with the following provisions: It shall file and record in the office of the Secretary of State a certified copy of its charter, or articles of incorporation, and file evidence of appointment of an agent in this State to accept service of process on behalf of said corporation, and shall pay to the Secretary of State the requisite filing, recording and franchise fees. Such corporation, by its president, secretary, treasurer and superintendent, or any two of them shall make and file with the Secretary of State a statement duly sworn to by at least two of such officers, in such form as the Certificate of authority required.

Provisions required before certificate issued.

Secretary of State may prescribe, containing the following facts:

First, The location of its principal office and its principal place or places of business, and the names and addresses of its principal officers;

Second, The location of its principal office and the principal place of business in Michigan, and the name and addresses of the officers or agent of the company in charge of its business in Michigan;

Third, The total value of the property owned and used by the company in its business, giving its location and general character and stating separately the value of its tangible property, of its cash and credits, its franchises, patents, trademarks, formulas, good will;

Fourth, The value of the property owned and used in Michigan and where situated;

Fifth, The total amount of business transacted during the preceding year and the amount of business, if any, transacted in Michigan;

Sixth, Such other facts bearing on the matter as the Secretary of State may require, including a statement of the particular purpose, or the particular kind of business for which the company desires admission to this State.

Determination
of authorized
capital
stock.

Right of
hearing.

Right of
appeal.

Franchise fee.

Term of
corporate
existence.

SEC. 2. From the papers so filed and the facts so reported and any other facts coming to his knowledge bearing upon the question, the Secretary of State shall determine the proportion of the authorized capital stock of the company represented by its property and business in Michigan. Any such corporation shall have the right on application, to be heard by the Secretary of State touching the matter of the determination of the proportion of its capital stock represented by property used and business done in Michigan. Any corporation aggrieved by the decision of the Secretary of State, may, within ten days, appeal to a board of appeal consisting of the Auditor General, State Treasurer, and Attorney General, whose decision in the matter shall be final.

SEC. 3. Such company shall pay to the Secretary of State a franchise fee of one-half a mill on each dollar of the proportion of its authorized capital stock represented by the property owned and used and business transacted in Michigan, determined as above provided. And in case such corporation is not at the time of admission carrying on any business outside of Michigan, it shall pay a franchise fee on its entire authorized capital stock. But such fee shall in no case be less than twenty-five dollars.

SEC. 4. When such corporation has fully complied with the provisions of this act, the Secretary of State may issue to such corporation a certificate of authority to carry on such business in this State, during the period of its corpor-

ate existence, but not exceeding thirty years: *Provided*, That no such foreign corporation shall be permitted to transact business in this State unless it be incorporated in whole, or in part, for the purpose or object for which a corporation may be formed under the laws of Michigan, and then only for such purpose or object. And the Secretary of State shall in the certificate which he issues state under what act such corporation is to carry on business in this State, and such corporation shall have all the powers, rights and privileges and be subject to all the restrictions, requirements and duties granted to or imposed upon corporations organized under such act: *Provided further*, That the carrying on in this State by such corporation, of business for which it has not been so admitted, or failure to fully comply with the requirements of the act under which it has been so admitted, shall be sufficient cause for revoking the certificate of authority to do business in this State, and the Secretary of State may revoke such certificate and shall promptly notify such corporation of such revocation and the reasons therefor by notice sent by mail to the home office of such corporation.

Proviso as to purpose and object of incorporation.

Proviso as to revocation of certificate.

Section 5. Every corporation which has paid a franchise fee and been admitted to do business in this State, which shall thereafter increase its authorized capital, or shall increase the proportion of its capital stock, represented by property used and business done in Michigan, shall within thirty days after such increase file an additional statement with the Secretary of State, and pay an additional franchise fee of one-half of one mill on each dollar of the amount of increase of its capital stock represented by property owned and business done in Michigan. And any such corporation, shall at any time when requested by the Secretary of State, file an additional statement, under oath of at least two of its officers, showing the proportion of its property used and business transacted in Michigan. Every corporation subject to the provisions of this section which shall neglect or fail to comply with its requirements, shall be subject to a penalty of not less than one hundred dollars nor more than one thousand dollars for every month that it continues to transact business in Michigan, without complying with the requirements of this section, to be recovered by action in the name of the people of the State of Michigan in any court of competent jurisdiction.

Certificate of increase of capital stock.

Statement filed on request of Sec'y of State.

Penalty for failure to comply with requirements.

Sec. 6. No foreign corporation, subject to the provisions of this act, shall be capable of making a valid contract in this State until it shall have fully complied with the requirements of this act, and at the time holds an unrevoked certificate to that effect from the Secretary of State.

Validity of contracts.

Sec. 7. It shall be unlawful for any person to act as agent for any foreign corporation not authorized to do business in this State or in any manner to aid in the transaction of the business of such unauthorized foreign corporation in

Unlawful to act as agent of unauthorized company.

Penalty.

this State. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars for each offense and in default of payment of such fine, shall be imprisoned in the county jail for a period of not less than thirty days nor more than one year, or he may be punished by both such fine and imprisonment at the discretion of the court.

Act not applicable to certain companies.

SEC. 8. The provisions of this act shall not be applicable to such foreign corporations as are permitted to do business in this State by license issued by the Commissioner of Insurance, or by the State Treasurer, according to the provisions of law. Nor shall this act be construed to prohibit any sale of goods or merchandise which would be protected by the rights of interstate commerce.

"Corporations" defined.

SEC. 9. The term "corporations" as used in this act shall be construed to include all associations, partnership associations and joint stock companies having any of the powers or privileges of corporations, not possessed by individuals or partnerships, under whatever term or designation they may be defined and known in the state where organized.

Approved June 28, 1907.

[No. 311.]

AN ACT for the protection of *Perdix Cinerea*, commonly called European partridge, within the State of Michigan.

The People of the State of Michigan enact:

Unlawful to kill, etc., for 5 years.

SECTION 1. For a period of five years from and after the passage of this act, it shall be unlawful to kill, capture, injure or destroy any *Perdix Cinerea*, commonly called European partridge, within the State of Michigan.

Penalty for violation.

SEC. 2. Any person who shall be found guilty of violating the provisions of this act shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, and costs of prosecution for each offense, or in default of payment of such fine and costs shall be confined in the county jail or Detroit House of Correction, until such fine and costs be paid, but not for more than ninety days.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 312.]

AN ACT to regulate railroads and the transportation of persons and property in this State, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure adequate service, create the Michigan Railroad Commission, define the powers and duties thereof, and to prescribe penalties for violations hereof.

The People of the State of Michigan enact:

SECTION 1. A railroad commission is hereby created, to be composed of three commissioners, not more than two of whom shall belong to any one political party. Within thirty days from the time this act shall take effect, the Governor shall, by and with the advice and consent of the senate, appoint such commissioners, but no commissioners so appointed shall be qualified to act until confirmed by the senate, unless appointed during adjournment of said senate. The term of all of said commissioners so appointed and confirmed shall expire and terminate on the fifteenth day of January, nineteen hundred nine, and within the month of January, nineteen hundred nine, the Governor shall appoint and nominate to the senate three commissioners of the qualifications aforesaid, one of whom shall serve for the term of two years from and after the said fifteenth day of January, nineteen hundred nine; one for the term of four years after said date, and one for the term of six years after said date; it being provided herein that no such commissioner so appointed and nominated by the Governor shall be qualified to act until confirmed by the senate. In the event of the death, removal or resignation of any of the said commissioners, the Governor shall have power to appoint a successor to fill such vacancy, who shall hold office until the next session of the legislature, when an appointment shall be made to fill such vacancy, to be confirmed by the senate.

Commission created, membership. Appointments, 1907.

How confirmed.

Terms, expiration of.

Appointments, 1909, terms.

Senate to confirm.

Vacancy, how how filled.

SEC. 2. (a) Said commissioners shall have the following qualifications, in addition to the provision that not more than two of them shall belong to any one political party; one shall be an attorney, having knowledge of and experience in railroad and transportation law; the others shall have knowledge of traffic and transportation matters. Each of such commissioners shall devote to the duties of his office, all the time necessary to insure the prompt and complete performance of all official duties, and said commission shall, so far as possible, arrange so that at all times during business hours at least some one member shall be in attendance at the principal office of the commission every business day in the year.

Qualifications required.

Duties, time devoted to.

Office, attendance at.

Removal
from office.
Hearing, etc.

Statement of
charges, etc.,
when and
where filed.

Pecuniary
interest, va-
cancy created
by.

Oath.

Salary.

When to
meet and
organize.

Chairman,
election of,
term.

Quorum.

Secretary,
chief clerk,
etc., quali-
fications,
salary, etc.

Inspectors.

(b) The Governor may, at any time, remove any commissioner for any neglect of duty or malfeasance in office. Before such removal, he shall give such commissioner a copy of the charges against him, and shall fix a time when he can be heard in his own defense, which shall not be less than ten days thereafter, and said hearing shall be open to the public. If he shall be removed, the Governor shall file in the office of the Secretary of State, a complete statement of the charges made against such commissioner and his finding thereon, with a record of the proceedings, it being herein provided and declared that such discretionary power in the Governor to make such removal is a sound and reasonable discretion to be exercised for the good of the State, and not arbitrarily.

(c) No person so appointed shall be pecuniarily interested in any railroad or in the business of transporting persons or property in this State, or elsewhere, and if any such commissioner shall voluntarily become so interested, his office shall ipso facto, become vacant; and if he shall become so interested otherwise than voluntarily, he shall within a reasonable time divest himself of such interests; failing so to do, his office shall become vacant, and the Governor shall proceed as provided for in section two b of this act.

(d) Before entering upon the duties of his office, each of said commissioners shall take and subscribe the constitutional oath of office.

(e) Each of said commissioners shall receive an annual salary of three thousand dollars, payable in the same manner as salaries of other State officers are paid.

(f) The commissioners appointed under this act shall within twenty days after their appointment and qualification meet at the State capitol and organize by electing one of their members chairman, who shall serve until the fifteenth day of January, nineteen hundred nine. On the fifteenth day of January in each odd-numbered year the commissioners shall meet at the office of the commission and elect a chairman, who shall serve for two years and until his successor is elected. A majority of said commissioners shall constitute a quorum to transact business, and any vacancy shall not impair the right of the remaining commissioners to exercise all the powers of the commission so long as the majority remains.

(g) Said commission may appoint a secretary at a salary of not more than two thousand dollars per annum, and may appoint a chief clerk who shall be the statistician of the commission at a salary of fifteen hundred dollars per year, not more than three other clerks who shall receive a compensation to be fixed by the commission, and one of whom shall be an expert stenographer, and may employ such other experts as may be necessary to perform any service it may require of them, and shall fix their compensation. To carry out the

provisions of this act they may appoint inspectors, at least one of whom shall be an electrical engineer. It shall be the duties of such inspector on the order of the commission, and they shall have the right to inspect all equipment, cars, power houses, trolley lines, tracks, and property of every kind of transportation companies. They shall likewise have the right to inspect freight in cars or warehouses of transportation companies and all way bills, bills of lading and shipping receipts of such transportation companies, so that they may determine whether the classification and rating of such freight is in conformity with the published tariffs and classification of such transportation companies. Said inspectors shall be employed at a fixed compensation.

To inspect equipment, etc.

Freight in cars, way bills, etc.

Compensation fixed.

(h) The secretary shall take and subscribe to an oath similar to that of the commissioners, and shall keep full and correct records of all transactions and proceedings of the commission, and shall perform such other duties as may be required by the commission. Any person ineligible to the office of a commissioner shall be ineligible to the office of secretary. He shall devote his entire time to his office.

Secretary; oath and duty of.

Who eligible.

(i) The said commission may appoint a mechanical engineer at a salary of not to exceed twenty-five hundred dollars per year, whose duty it shall be, under the instructions of the commission, to make technical inspections and reports of the condition and working of all air and power brakes and fixtures, automatic and safety couplers, heating apparatus, train signals and other appliances connected with the construction and running of locomotive engines, and steam and electric cars, also of the condition, character and workings of yard and switch lamps, semaphores, safety signals, switches, common and interlocking frogs and guard rails, whether the same are blocked or otherwise treated, as required by law; also of the condition and sufficiency of bridges and other structures connected with the permanent way and of the condition and sufficiency of all equipments, electric dynamos, power houses, trolley lines, so-called third rails, freight and passenger houses, as regards the public safety, health and convenience, and of such other matters and things as the commission may deem essential to full and thorough information as to the physical condition of the several railroad properties of the State and the proper enforcement of the police regulations enacted for the control and management of the same. Such mechanical engineer shall have had at least ten years' experience in mechanical engineering with such general knowledge of the requirements of railroad operation as shall fit him to skillfully perform the duties imposed upon him by the provisions of this act. He shall receive an annual salary of twenty-five hundred dollars, payable monthly on a warrant of the Auditor General upon the certificate of the commission.

Mechanical engineer, salary and duty of.

Qualifications required.

Salary, how paid.

(j) The commission shall be known collectively as "Michigan Railroad Commission," and in that name may sue and be

Name.

Seal.

sued. It shall have a seal with the words "Michigan Railroad Commission," and such other design as the commission may prescribe engraved thereon, by which it shall authenticate its proceedings and of which the court may take judicial notice.

Office, where kept, how provided for.

(k) The commission shall keep its office at the capitol and shall be provided suitable room or rooms, necessary office furniture, supplies, stationery, books, periodicals, maps, and all its necessary expenses shall be audited and paid as other State expenses are audited and paid. The commission may hold session at any other place than the capitol when the convenience of the parties so requires. The commissioners, secretary, clerks, inspectors, and such experts as may be employed, shall be entitled to receive from the State their actual necessary expenses while traveling on the business of the commission, such expenditures to be sworn to by the person who incurred the expense, and to be approved by the chairman of the commission.

Session, may hold at other places.

Traveling expense, allowance of.

Rules and Regulations, may adopt, etc.

(l) The commission shall have the power to adopt and publish rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings of railroads and other parties before it, and all hearings shall be open to the public.

Map confer with R. R. commissioners of other states, etc.

(m) The commission may confer by correspondence, by attending conventions, or otherwise, with the railroad commissioners of other states, and with the Interstate Commerce Commission, on any matters pertaining to railroads.

Provisions of act, how applied.

SEC. 3. (a) The provisions of this act shall apply to the transportation of passengers and property between points within this State and to the receiving, switching, delivering, storing and handling of such property, and to all charges connected therewith, including icing and mileage charges, and shall apply to all railroads, corporations, express companies, car companies, freight and freight line companies and to all associations or persons whether incorporated or otherwise that shall do business as common carriers upon or over any line of railroads in this State, and to any common carrier engaged in the transportation of passengers and property wholly by rail or partly by rail and partly by water.

Not to apply to certain railroads.

(b) This act shall not apply to street and electric railroads engaged solely in the transportation of passengers within the limits of cities, nor to private railroads not doing business as common carriers: *Provided, however,* Nothing in this act contained shall be construed to authorize the commission to interfere with, lessen or impair or to authorize the impairment of any franchise provision, contract or agreement as to rates of fare now existing between any municipality, city, village or township and any tram railway, street railway, interurban or suburban railway company, or to increase or lessen the rate of fare fixed by such franchise, contract or agreement, or to deprive any tram railway, street railway, interurban or suburban railway company of the right to charge for the carriage of passengers the rate of fare author-

Proviso, impairment of franchises, as to rates of fare.

ized and fixed by any franchise, grant or contract made or entered into between any municipality, city, village or township and any such tram railway, street railway, inter-urban or suburban railway company.

(c) Express companies and sleeping car companies shall be deemed common carriers. Express and sleeping car companies.

(d) The term "railroad" as used in this act shall be construed to include both steam and electric roads, and shall mean and embrace all corporations, companies, individuals, associations of individuals, their lessees, trustees or receivers appointed by any court whatsoever, who now or may hereafter own, operate, manage, or control as a common carrier in this State any railroad or part of any railroad, either steam or electric, or cars or any other equipment used thereon, or bridges, switches, spurs, tracks, side tracks, terminal facilities or any docks, wharfs, or storage elevators used in connection therewith, or any kind of terminal facilities used or necessary in the transportation of persons or property designated herein and also all freight depots, yards and grounds used or necessary for the transportation or delivery of any said property whether the same are owned by said railroad or otherwise. "Railroad," term construed.

(e) The term "transportation" shall include cars and other vehicles and all instrumentalities and facilities of shipment of carriage, irrespective of ownership, or of any contract expressed or implied for the use thereof and all services in connection with the receipt, delivery, elevation, switching and transfer in transit, ventilation, refrigeration or icing, storage and handling of property transported. "Transportation," term construed.

SEC. 4. (a) Every common carrier is hereby required to furnish reasonably adequate service and facilities, and shall provide and furnish transportation of passengers and property upon reasonable requests therefor, and all charges made for any service in connection therewith, or for the receiving, switching, delivering, storage, or handling of such property shall be reasonable and just, and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful. Common carriers, service and facilities required of.

(b) All railroads incorporated under the general railroad law of this State, as between themselves, and all electric railroads, as between themselves, shall establish through routes and just and reasonable rates applicable thereto, except as hereinafter provided. Through routes and rates.

(c) Whenever passengers or property are transported over two or more connecting lines of railroad between points in this State, and the railroad companies have made joint rates for the transportation of the same, such rates and all charges in connection therewith shall be just and reasonable, and every unjust and unreasonable charge is prohibited and declared to be unlawful: *Provided*, That a less charge by such railroads for its proportion of such joint rates than is made locally between the same points on their respective lines shall Joint rates.

Proviso, less charge than local rate

not for that reason be construed as a violation of the provisions of this act, nor render such railroads liable to any of the penalties hereof.

Free transportation not to be given.

Exceptions.

Proviso, interchange of passes for officers, etc.

Epidemic, calamities.

Proviso, mileage for advertising.

Penalty on carrier.

On persons using.

Free carriage, etc., of freight.

SEC. 5. (a) No common carrier, subject to the provisions of this act shall, after January one, nineteen hundred eight, directly or indirectly issue or give any free ticket, free pass, or free transportation for passengers, except to its employes or their families, its officers, agents, surgeons, physicians or attorneys at law, and members of their families; to ministers of religion, traveling secretaries of Railroad Young Men's Christian Associations, persons engaged exclusively in charitable and eleemosynary work; to indigent, destitute and homeless persons and to such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; to inmates of the national homes or State homes or homes for disabled volunteer soldiers', and sailors' homes, including those about to enter and those returning home after discharge, boards of managers of such homes; to necessary caretakers of live stock, poultry, fruit and vegetables; to employes on sleeping cars and express cars; to linemen of telegraph and telephone companies and others engaged in the care and operation of telegraph and telephone lines; to railroad postal employes, postoffice inspectors, custom inspectors, and immigration inspectors, to newsboys on trains, baggage agents, witnesses attending any legal investigation in which the common carrier is interested, persons injured or killed in accidents, and members of the families of the same, and physicians and nurses attending such persons, and dependent relatives of injured or deceased employes, and such other persons as the commission may from time to time by special order designate: *Provided*, That this provision shall not be construed to prohibit the interchange of passes for the officers, agents, attorneys and employes of common carriers, and their families; nor to prohibit any common carrier from carrying passengers free with the object of providing relief in cases of general epidemic, pestilence, or otherwise calamitous visitation: And *Provided*, That nothing shall be construed to prohibit the exchange of mileage for advertising in publications of general circulation.

(b) Any common carrier wilfully violating this provision shall be deemed guilty of a misdemeanor and for such offense on conviction shall pay to the State of Michigan a penalty of not less than one hundred dollars nor more than five hundred dollars, and any person other than persons excepted in this provision, who uses any such free ticket, free pass or free transportation, shall be subjected to a like penalty.

(c) Nothing herein shall prevent the carriage, storage or handling of freight free, or at reduced rates for the United States, the State or any political subdivision thereof, or any municipality thereof, or for charitable purposes, or to and from fairs and expositions for exhibition thereat, or house-

hold goods, or other personal property of railway employes, or the issuance of mileage, commutation, or excursion passenger's tickets: *Provided*, That the same shall be obtainable by all persons applying therefor without discrimination, or of party tickets: *Provided*, That the same shall be obtainable by all persons applying therefor under like circumstances and conditions.

Issuance of mileage, excursion tickets etc.

Proviso, discrimination.
Proviso, idem.

SEC. 6. (a) Any railroad subject to the provisions of this act, upon application of any shipper tendering traffic for transportation, shall construct, maintain and operate upon reasonable terms a switch connection with any private side track, when such connection is reasonably practicable and can be put in with safety and will furnish sufficient business to justify the construction and maintenance of same, and shall furnish cars and transport to the best of its ability any traffic tendered to, over, or from such private side track, without discrimination in favor of or against any such shipper: *Provided*, This shall not be construed to compel a railroad to remove from or deliver on a private side track traffic tendered in less than car lots: And *Provided*, That shipments of live stock, perishable property and explosives may have precedence over all other classes of merchandise. If any railroad shall fail to install and operate any such switch or connection as aforesaid on application therefor in writing by any shipper, any shipper may make complaint to the commission, as provided by section twenty-two of this act, and the commission shall make investigation of the same, and it shall determine as to the safety, practicability and justification thereof, and shall fix a reasonable compensation therefor and the commission shall make an order as provided in section twenty-four of this act, directing the railroads to comply with the provisions of this section in accordance with such order and such order shall be enforced as hereinafter provided for the enforcement of all other orders by the commission, other than orders for the payment of money.

Switch, connection with private side track.

Proviso, traffic in less than car lots.
Proviso, shipments having precedence.

When commission to order compliance.

Order, how enforced.

SEC. 7. (a) All railroads, subject to the provisions of this act, shall afford all reasonable and proper facilities by the establishment of switch connections between one another and the establishment of depots and otherwise for the interchange of traffic between their respective lines and for the receiving, forwarding and delivering of passengers and property to and from their several lines and those connecting therewith and shall transfer and deliver without unreasonable delay or discrimination any freight, or cars, or passengers destined to any point on its own line or on any connecting line, and shall not discriminate in their rates and charges between such connecting lines: *Provided*, Precedence may be given to live stock and perishable property, but this shall not be construed as requiring any railroad to give the use of its tracks or terminal facilities to another railroad engaged in like business.

Interchange of traffic.

Discrimination.
Proviso, precedence given, how construed.

Interchange
of car load
shipments
between
steam and
interurban,
etc.

Proviso,
through
billing be-
tween steam
and electric,
etc.

To draw
cars, etc., of
connecting
lines.

Proviso,
gauge, etc.

Further pro-
viso, disagree-
ment, hearing.

Award
binding.

Penalty.

Cars, fur-
nishing of,
for car load
lots.

Cars and
motive
power; suffi-
ciency re-
quired.

Distribution.

Proviso, live
stock, etc.
Commission
to make and
enforce regu-
lations.

(b) Where it is practicable and the same may be accomplished without endangering the equipment, tracks, or appliances of either party, the commission may, upon application, require steam railroads and interurban and suburban railroads to interchange cars, carload shipments, less than carload shipments, and passenger traffic, and for that purpose may require the construction of physical connections upon such terms as it may determine: *Provided*, That nothing in this act shall be construed to require through billing of freight as between steam and electric, suburban or interurban railroads, but such suburban and interurban railroads may be used for the handling of freight in carload lots in steam railroad freight cars between shippers or consignees and the steam railroads, in the same manner and under the same general conditions, except as to motive power, as belt line railroads and terminal railroads are now or may hereafter be used for like purposes.

(c) Every corporation owning a railroad in use shall, at reasonable times and for a reasonable compensation, draw over the same the merchandise and cars of any other corporation or individual having connecting tracks: *Provided*, Such cars are of the proper gauge, are in good running order and equipped as required by law and otherwise safe for transportation and properly loaded: *Provided further*, If the corporations cannot agree upon the times at which the cars shall be drawn, or the compensation to be paid, the said commission shall, upon petition of either party and notice to the other, after hearing the parties interested, determine the rate of compensation and fix such other periods, having reference to the convenience and interests of the corporation or corporations, and the public to be accommodated thereby, and the award of the commission shall be binding upon the respective corporations interested therein until the same shall have been revised. Any railroad corporation refusing to comply with the provisions of this section shall be liable to a penalty not exceeding five hundred dollars.

SEC. 8. Every railroad shall, when within its power so to do, and upon reasonable notice, furnish suitable cars to any and all persons who may apply therefor, for the transportation of any and all kinds of freight in carload lots. Every common carrier shall have sufficient cars and motive power to meet all requirements for the transportation of passengers and property which may reasonably be anticipated. In case of insufficiency of cars at any time to meet all requirements, such cars as are available shall be distributed among the several applicants therefor, without discrimination between shippers, or between points of shipment, whether competitive or non-competitive: *Provided*, Preference may be given to shipments of live stock and perishable property. The commission shall have power to make and enforce and shall make and enforce reasonable regulations for the furnishing and distribution of freight cars to shippers and switching

the same, and for the loading and unloading thereof, and for the weighing of the cars and the freight offered for shipment over any line of railroad, and shall fix a reasonable per diem demurrage to be paid for the detention of cars by shipper or consignee, and for the failure or delay of the railroad in the furnishing of such cars, and for the failure of the railroad to move the cars the number of miles per day as ordered by the commission: *Provided*, That the Upper Peninsula be exempted from the provisions of section eight of this act, in so far as they relate to the fixing of per diem demurrage charges.

Demurrage,
etc.

Proviso, U.
P. exempted.

SEC. 9. It shall be unlawful for any common carrier subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers or like kinds of property under substantially similar circumstances and conditions for a shorter than a longer distance over the same line, in the same direction, the shorter being included within the longer distance, but this act shall not be construed as authorizing any common carrier within the terms of this act to charge and receive as great compensation for a shorter distance as for a longer distance: *Provided, however*, That upon application to the commission appointed under the provisions of this act such common carrier may, in special cases, after investigation by the commission, be authorized to charge less for longer than for shorter distances for the transportation of passenger or property, and the commission may from time to time prescribe the extent to which a designated common carrier may be relieved from the operation of this section of this act.

Unlawful
passenger
charges.

Proviso,
special cases.

SEC. 10. (a) Every common carrier subject to the provisions of this act shall file with the commission created by this act and print and keep open to public inspection in each of its depots and offices, schedules showing all rates, fares and charges for transportation, both of passengers and property, between different points on its own route, and between points on its own route and on the route of any other carrier by railroad or by water, or by railroad and water, when a through route and joint rate have been established. If no joint rate over the through route has been established, the several carriers in such through route shall file, print, and keep open to public inspection, as aforesaid, the separately established routes, fares and charges applied to the through transportation. The schedules printed as aforesaid by any common carrier shall plainly state the places between which property and passengers will be carried, and shall contain the classification of freight in force and shall also state separately all terminal charges, storage charges, icing charges, and all other charges which the commission may require, all privileges or facilities granted or allowed and any rules or regulations which in any wise change, affect or determine any part of or the aggregate of such aforesaid rates, fares, and charges, or the value of the service rendered

Rates, fares
and charges,
public in-
spection of.

Joint rate,
when not
established.

Schedules,
what to set
forth.

Proviso, local switching tariffs.	to the passengers, shipper, or consignee: <i>Provided</i> , That where local switching tariffs are in effect at a competitive point, it shall be sufficient if the schedule states that the terminal charges shall be subject to the rules of such local switching tariffs. Such schedules shall be printed plainly in large type, and copies for the use of the public shall be kept on file for public inspection in every depot, station, or office of such carrier where passengers or freight respectively are received for transportation, or where tickets are sold in such form that they will be accessible to the public and can conveniently be inspected. The provisions of this section shall apply to all traffic and transportation and facilities defined in this act.
Printing and filing of schedule.	
Application of section.	
Change in rates, etc., notice given commission.	(b) No change shall be made in the rates, fares and charges or joint rates, fares and charges which have been filed and published by common carriers in compliance with requirements of this section, except after ten days' notice to the commission and to the public published as aforesaid, which shall plainly state the changes proposed to be made in the schedule then in force and the time when the changed rates, fares or charges will go into effect; and the proposed changes shall be shown by printing new schedules or shall be plainly indicated upon the schedule in force at the time and kept open to public inspection: <i>Provided</i> , That the commission may, in its discretion and for good cause shown, allow changes upon less time than the notice herein specified, or modify the requirements in this section in respect to publishing, posting and filing of tariffs, either in particular instances or by a general order applicable to special or peculiar circumstances or conditions.
How shown.	
Proviso, requirements modified.	
Parties to joint tariff, evidence of concurrence.	(c) The names of the several carriers which are parties to any joint tariff shall be specified therein and each of the parties thereto, other than the one filing the same, shall file with the commission such evidence of concurrence therein or acceptance thereof as may be required or approved by the commission, and where evidence of concurrence or acceptance is filed it shall not be necessary for the carriers filing the same to also file copies of the tariffs in which they are named as parties.
Certain traffic agreements, etc., filing of.	(d) Every common carrier subject to this act shall also file with the said commission copies of all contracts, agreements or arrangements with other common carriers in relation to any traffic affected by the provisions of this act to which it may be a party, when required by the commission so to do.
Form of schedule, certain, commission may determine, etc.	(e) The commission may determine and prescribe the form in which the schedules required by this section to be kept open to the public inspection shall be prepared and arranged and may change the form from time to time as may be found expedient.
Conformity, certain.	(f) Such schedules shall, so far as is practicable, conform

to the forms prescribed by the Interstate Commerce Commission.

(g) No carrier, unless otherwise provided by this act, shall engage or participate in the transportation of passengers or property as defined in this act, unless the rates, fares and charges upon which the same are transported by said carrier have been filed and published in accordance with the provisions of this act, nor shall any carrier charge or demand or collect or receive a greater or less or different compensation for such transportation of passengers or property or for any service in connection therewith between the points named in such fares and charges which are specified in the tariff filed and in effect at the time; nor shall any carrier refund or remit in any manner or by any device any portion of the rates, fares and charges so specified, nor extend to any shipper or person any privilege or facilities in the transportation of persons or property except such as are specified in such tariff.

Rates, charges etc., filing of, adherence to.

Not to refund or remit, etc.

(h) In time of war, or threatened war, preference and precedence shall, upon the demand of the Governor of the State, be given over all other traffic to the transportation of troops and material of war and carriers shall adopt every means within their control to facilitate and expedite the military traffic.

Military traffic, when given preference.

(i) Every common carrier within this State shall, within ninety days, unless further time be granted by the commission, file in the office of the commission copies of all schedules of rates, including joint rates in force on its line or lines between points within this State on the date act takes effect.

Copies of schedules, joint rates, when and where filed.

SEC. 11. Nothing in this act shall be construed to prevent concentration, commodity, transit and other special contract rates, but all such rates shall be open to all shippers for a like kind of traffic under similar circumstances and conditions, and shall be subject to the provisions of this act as to the printing and the filing of the same: *Provided*, All such rates shall be under the supervision and regulation of the commission.

Special contract rates.

Proviso, under supervision.

SEC. 12. The classification of freight in this State shall be uniform on all railroads.

Freight classification.

SEC. 13. (a) It shall be the duty of every railroad, unless excused therefrom by the order of the commission made after petition and hearing, to provide and maintain adequate depots and depot buildings, including facilities for checking baggage and the sale of tickets at its regular stations and at such other points as the commission shall direct, for the accommodation of passengers, and said depot buildings shall be kept clean, well-lighted and warm for the accommodation of the traveling public. All railroads shall keep and maintain adequate and suitable freight depots, buildings, switches, and side tracks for the receiving, handling and delivering of freight transported or to be transported by such railroads.

Passenger depots.

Freight depots.

Union
depots.

In case of
disagreement.

Private side
tracks, con-
trol over.

Continuous
carriage, un-
lawful to
prevent.

Break of
bulk, etc.

Greater or
less compen-
sation than
public tariff,
unlawful.

Penalty on
railroads.

Penalty on
agent, etc.

(b) Where two or more railroads connect they shall, if so ordered by the commission after hearing, provide at the junction point a joint depot and suitable accommodations for passengers and merchandise. If the railroads cannot agree in providing such accommodations and for the maintenance thereof, the said commission may determine the character of the accommodations to be provided and apportion the cost thereof and the expense of the maintenance of the same between the several roads.

SEC. 14. The commission shall have control over private side tracks in so far as the same are used by common carriers.

SEC. 15. It shall be unlawful for any common carrier to enter into any combination, contract or agreement, expressed or implied, to prevent by change of time, schedule, carriage in different cars, or by other means or devices, the carriage of freight from being continuous from the place of shipment to the place of destination; and no break of bulk, stoppage or interruptions by such common carrier shall prevent the carriage of freight from being and being treated as one continuous carriage from place of shipment to the place of destination, unless such break, stoppage or interruption was made in good faith for some necessary purpose and without any intent to avoid or unnecessarily interrupt such continuous carriage or to evade any of the provisions of this act.

SEC. 16. If any common carrier or any agent or officer thereof shall directly or indirectly, by any special rate, rebate, drawback, or by any means of false billing, false classification, false weighing, or by any other device whatsoever, charge, demand, collect, or receive from any person, firm or corporation, a greater or less compensation for any service rendered or to be rendered by it for the transportation of persons or property or for any service in connection therewith than that prescribed in the public tariffs then in force, or established as provided herein, or than it charges, demands, collects, or receives from any other person, firm, or corporation for a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, or shall knowingly and wilfully assist or wilfully suffer and permit such greater or less compensation to be charged, demanded, collected or received, such railroad shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful, and upon conviction thereof shall pay into the State treasury not less than one hundred dollars nor more than one thousand dollars for each offense, and any agent or officer offending shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars for each offense, or imprisonment in the county jail for a term not to exceed three months or both in the discretion of the court.

It shall be unlawful for any common carrier to demand, charge, collect, or receive from any person, firm or corporation a less compensation for the transportation of property or for any service rendered or to be rendered by said railway in consideration of said person, firm or corporation furnishing any part of the facilities incident thereto: *Providing*, Nothing shall be construed as prohibiting any railroad from procuring any facilities or service incident to transportation and paying a reasonable compensation therefor.

Exception.

Proviso.

SEC. 17. It shall be unlawful for any common carrier, subject to the provisions of this act, to make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, or locality or any particular description of traffic, in any respect whatsoever, or to subject any particular person, company, firm, corporation or locality or any particular description of traffic to any undue or unreasonable disadvantage or prejudice in any respect whatsoever.

Undue preference unlawful.

SEC. 18. It shall be unlawful for any person, firm or corporation knowingly to accept or to receive any rebate, concession or discrimination in respect to transportation of any property wholly in this State or for any service in connection therewith, whereby any such property shall, by false billing, false classification, false weighing or any other device whatsoever be transported at a less rate than that named in the published tariffs in force as provided herein or whereby any service or advantage is received, other than is therein specified. Any person, firm, or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars for each offense, or by imprisonment in the county jail for a term of not to exceed three months or by both, in the discretion of the court, for each offense.

To receive rebate, etc., unlawful.

Penalty.

SEC. 19. If any common carrier shall do, or cause to be done, or permit to be done, any matter, act or thing in this act prohibited or declared to be unlawful, or shall omit to do any act, matter or thing required to be done by it, such common carrier shall be liable to the person, firm, or corporation injured thereby in double the amount of damages sustained in consequence of such violation: *Provided*, That any recovery as is in this section provided shall in no manner affect a recovery by the State of the penalty prescribed for such violation.

Liability of carrier for certain acts or failure.

Proviso, recovery of penalty by state.

SEC. 20. Any officer, agent, or employe of any common carrier who shall wilfully fail or refuse to fill out and return any blank and make any report as required by this act, or shall wilfully fail or refuse to answer any questions therein propounded, or shall knowingly or wilfully give a false answer to any such question or shall evade the answer to any such question where the fact inquired of is within

Wilful failure to return blanks, reports, etc.

Or exhibit
books, ac-
counts, etc.

Fine on agent,
etc.

Penalty on
railroad.

Penalty for
each ten days
refusal.

Forfeiture to
state for cer-
tain violations.

Act of agent,
etc., deemed
that of rail-
road.

Complaint of
rates, classi-
fications,
service, etc.

Commission
may notify
railroad and
investigate.

Notice given.

his knowledge, or shall upon proper demand, wilfully fail or refuse to exhibit to any commissioner or any commissioners, or any person authorized to examine the same, any book, paper or account of such railroad, which is in his possession or under his control, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, for each offense, and a penalty of not less than five hundred dollars, nor more than one thousand dollars, shall be recovered from the railroad for each offense when such officer, agent or employe, acting in obedience to the direction, instruction or request of such common carrier or any general officer thereof. And in case such officer, agent, employe or lessee of such common carrier shall wilfully fail to make any such report, every such common carrier and every such officer, agent, employe, lessee or manager of any such common carrier shall be liable to a penalty of not more than five hundred dollars for any period of ten days it or he shall wilfully neglect or refuse to make such report.

SEC. 21. If any common carrier shall wilfully violate any provision of this act, or shall do any act herein prohibited, or shall fail or refuse to perform any duty enjoined upon it, or upon the failure of any railroads to place in operation any joint rate, or do any other act herein enjoined upon it, for which a penalty has not been provided, or he shall wilfully fail, neglect or refuse to obey any lawful requirement or order made by any court upon its application, for every such violation, failure or refusal such railroad or railroads shall forfeit and pay to the State treasury a sum of not less than one hundred dollars nor more than one thousand dollars for each offense. In construing and enforcing the provisions of this section, the act, omission or failure of any officer, agent or other person acting for or employed by any railroad, acting within the scope of his employment, shall in every case be deemed to be the act, omission or failure of such railroad.

SEC. 22. (a) Upon complaint of any person, firm or corporation or association, or any mercantile, agricultural or manufacturing society, or of any body politic or municipal organization, that any of the rates, fares, charges or classifications, or any joint rate or rates are in any respect unreasonable or unjustly discriminatory, or that any regulation or practice whatsoever affecting the transportation of persons or property, or any service in connection therewith, are in any respect unreasonable or unjust, discriminatory, or that any service is inadequate, the commission may notify the railroad complained of that complaint has been made, and twenty days after such notice has been given the commission may proceed to investigate the same as hereinafter provided. Before proceeding to make investigation the commission may give the railroad and the complainants ten days' notice of

the time and place where such matters will be considered and determined, and said parties shall be entitled to be heard and shall have process to enforce the attendance of witnesses. If upon such investigation the rate or rates, fares, charges or classifications, or any joint rate or rates, or any regulations, practice or service complained of shall be found to be unreasonable or unjustly discriminatory, or the service shall be found to be inadequate, the commission shall have power to fix and order substituted therefor such rate or rates, fares, charges or classifications as it shall have determined to be just and reasonable, and which shall be charged, imposed and followed in the future, and shall also have power to make such orders respecting such regulation, practice or service as it shall have determined to be reasonable and which shall be observed and followed in the future.

When commission to fix rates, etc.

(b) The commission may, when the complaint is made of more than one rate or charge, order separate hearings thereon, and may consider and determine the several matters complained of separately and at such times as it may prescribe. No complaint shall of necessity at any time be dismissed because of the absence of direct damage to the complainant.

When may order separate hearings.

(c) Whenever the commission shall believe that any rate or rates, or charge or charges may be unreasonable or unjustly discriminatory, or that any service is inadequate, and that any investigation relating thereto should be made, it may, upon its own motion, investigate the same. Before making such investigation, it shall present to the railroad a statement in writing, setting forth the rate or charge to be investigated. Thereafter, on ten days' notice to the railroad of the time and place of such investigation, the commission may proceed to investigate such rate or charge in the same manner and make like orders in respect thereto as if such investigation had been made upon complaint.

When commission may investigate upon own motion.

Statement presented.

When may proceed.

(d) This section shall be construed to permit any railroad to make complaint of like effect as though made by any person, firm, corporation or association, mercantile, agricultural or manufacturing society, body politic or municipal organization.

Railroad may complain.

SEC. 23. (a) Each of the commissioners for the purposes mentioned in this act shall have power to administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses and the production of papers, way bills, books, accounts, documents and testimony. In case of disobedience on the part of any person or persons, or wilful failure to comply with any order of the commission, or any commissioner, or any subpoena, or upon the refusal of any witness to testify regarding any matter upon which he may be lawfully interrogated, or to produce any books or papers in his custody or control which he shall have been required by any commissioner to produce, it shall be the duty of the circuit court or any court, or a judge thereof, upon application of

Commissioners, power to subpoena witnesses, etc.

Court may compel obedience.

Additional powers.	a commissioner, to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court, or a refusal to testify therein, and in addition said commissioner shall have the powers vested in justices of the peace and notaries public to compel witnesses to testify and to produce books and papers.
Fees and mileage of witnesses.	(b) Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in circuit court, which shall be audited and paid by the State in the same manner as other expenses are audited and paid, upon the presentation of proper vouchers sworn to by such witnesses and approved by the chairman of the commission: <i>Provided</i> , That no witnesses subpoenaed at the instance of parties other than the commission shall be entitled to compensation from the State for attendance and travel, and unless the commission shall certify that his testimony was material and necessary to the matter investigated.
Proviso.	(c) The commission or any party may in any investigation cause the depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in the circuit court.
Proceedings and testimony.	(d) A full and complete record shall be kept of all proceedings had before the commission on any investigation had under section twenty-two of this act, and all testimony shall be taken down by stenographer appointed by the commission. When any complaint is served upon the commission under the provisions of section twenty-six of this act, the commission shall, before said action is reached for trial, cause the certified transcript of all proceedings had and testimony taken upon such investigation to be filed with the clerk of the circuit court of the county where the action is pending. A transcribed copy of the evidence and proceedings, or any specific part thereof, or any investigation, taken by the stenographer, certified by him, to be a true and correct transcript of all the testimony on the investigation or of a particular witness, or of any specific part thereof, carefully compared by him with his original notes, and to be a correct statement of the evidence and proceedings had on such investigation so purporting to be taken and transcribed, shall be received in evidence with the same effect as if such reporter were present and testified to the facts so certified. A copy of such transcript shall be furnished upon demand, free of cost, to any party of such investigations, and to all other persons on payment of a reasonable amount therefor.
Certified transcript filed.	SEC. 24. (a) Whenever, upon investigation made under the provisions of this act, the commission shall find any existing rate or rates, fare, charges or classification, or any joint rate or rates, or any regulation or practice whatsoever affecting the transportation of persons or property, or
Received as evidence.	
Copies furnished.	
When carrier ordered to conform to regulations, etc.	

ing in the same manner as other cases on the calendar, or, if no term is then pending, shall take precedence of a different nature except criminal cases at the next term of the supreme court.

(f) In all actions under this section the burden of proof shall be upon the complainant to show by clear and satisfactory evidence that the order of the commission complained of is unlawful or unreasonable, as the case may be. Burden of proof.

SEC. 27. (a) In all actions and proceedings in court arising under this act all such process shall be served and the practice and rules of evidence shall be the same as in actions in equity, except as otherwise herein provided. Every sheriff or other officer empowered to execute civil process shall execute any process issued under the provisions of this act, and shall receive such compensation therefor as may be prescribed by law for similar services. Service of process, etc., under act.
Sheriffs, etc.

(b) No person shall be excused from testifying or from producing books and papers in any proceedings based upon or growing out of any violation of the provisions of this act, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to penalty or forfeiture, but no person, having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may have testified or produced any documentary evidence: *Provided*, That no person so testifying shall be exempted from prosecution or punishment for perjury in so testifying. Incriminating testimony.
Persons not to be prosecuted, etc.
Proviso; perjury.

(c) Upon application of any person the commission shall furnish certified copies, under seal of the commission, of any order made by it, which shall be prima facie evidence in any court or proceedings of the facts stated therein. Certain certified copies, prima facie evidence.

SEC. 28. (a) The commission shall have authority to inquire into the management of the business of any railroad and shall keep itself informed as to the manner and shall have the right to obtain from any railroad all necessary information to enable the commission to perform the duties and carry out the objects for which it is created. Authority of commission.

(b) The commission shall cause to be prepared for the purposes designated in this act blanks which shall conform as nearly as practicable to the forms prescribed by the Interstate Commerce Commission, and shall, when necessary, furnish such blanks to each railroad. Any railroad receiving from the commission any such blanks shall cause the same to be properly filled out so as to answer fully and correctly each question therein propounded, and in case it is unable to answer any question it shall give a full and sufficient reason for such failure; and said answer shall be verified under oath by the proper officer of said railroad and returned to the commission at its office within the time fixed by the commission. The making of a false affidavit or the filing of the Blanks prepared, to what to conform.
Railroads to fill out, etc.
Verifications.
False affidavit perjury.

When at issue; hearing.	reasonable; in which suit the commission shall be served with a subpoena. The commission shall file its answer, and on leave of court any interested party may file an answer to said complaint, whereupon said action shall be at issue and stand ready for hearing upon ten days' notice by either party. All suits brought under this section shall have precedence over any civil cause of a different nature pending in such court, and the circuit court shall always be deemed open for the hearing thereof, and the same shall proceed, be tried and determined as other chancery suits. Any party to such suit may introduce original evidence in addition to the transcript of evidence offered to said commission, and the circuit courts in chancery are hereby given jurisdiction of such suits and empowered to affirm, vacate or set aside the order of the commission in whole or in part, and to make such other order or decree as the courts shall decide to be in accordance with the facts and the law.
Precedence given.	
Additional original evidence.	
Jurisdiction of court.	
Injunction, when may issue.	(b) No injunction shall issue suspending or staying any order of the commission except upon application to the circuit court in chancery or to the judge thereof, notice to the commission having been given and hearing having been had thereon.
Introduction of additional evidence.	(c) If, upon the trial of said action, evidence shall be introduced by the complainant which is found by the court to be different from that offered upon the hearing before the commission, or additional thereto, the court, before proceeding to render judgment, unless the parties in such action stipulate in writing to the contrary, shall transmit a copy of such evidence to the commission, and shall stay further proceedings in said action for fifteen days from the date of such transmission. Upon receipt of such evidence the commission shall consider the same, and may alter, modify, amend and rescind its order relating to such rate or rates, fares, charges, classifications, joint rate or rates, regulations, practice or service complained of in said action, and shall report its action thereon to said court within ten days from the receipt of such evidence.
Stay of proceedings.	
Action of commission.	
Action, when dismissed.	(d) If the commission shall rescind its order complained of, the action shall be dismissed; if it shall alter, modify or amend the same, such altered, modified or amended order shall take the place of the original order complained of, and judgment shall be rendered thereon as though made by the commission in the first instance. If the original order shall not be rescinded or changed by the commission, judgment shall be rendered upon such original order.
Judgment on original order.	
Appeal to supreme court.	(e) Either party to said action, within sixty days after service of a copy of the order or judgment of the court, may appeal to the supreme court, which appeal shall be governed by the statutes governing chancery appeals. When the appeal is taken the case shall, on the return of the papers to the supreme court, be immediately placed on the calendar of the then pending term, and shall be brought to a hear-
Placing of on calendar, etc.	

ing in the same manner as other cases on the calendar, or, if no term is then pending, shall take precedence of a different nature except criminal cases at the next term of the supreme court.

(f) In all actions under this section the burden of proof shall be upon the complainant to show by clear and satisfactory evidence that the order of the commission complained of is unlawful or unreasonable, as the case may be. Burden of proof.

SEC. 27. (a) In all actions and proceedings in court arising under this act all such process shall be served and the practice and rules of evidence shall be the same as in actions in equity, except as otherwise herein provided. Every sheriff or other officer empowered to execute civil process shall execute any process issued under the provisions of this act, and shall receive such compensation therefor as may be prescribed by law for similar services. Service of process, etc., under act.
Sheriffs, etc.

(b) No person shall be excused from testifying or from producing books and papers in any proceedings based upon or growing out of any violation of the provisions of this act, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to penalty or forfeiture, but no person, having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may have testified or produced any documentary evidence: *Provided*, That no person so testifying shall be exempted from prosecution or punishment for perjury in so testifying. Incriminating testimony.
Persons not to be prosecuted, etc.
Proviso; perjury.

(c) Upon application of any person the commission shall furnish certified copies, under seal of the commission, of any order made by it, which shall be prima facie evidence in any court or proceedings of the facts stated therein. Certain certified copies, prima facie evidence.

SEC. 28. (a) The commission shall have authority to inquire into the management of the business of any railroad and shall keep itself informed as to the manner and shall have the right to obtain from any railroad all necessary information to enable the commission to perform the duties and carry out the objects for which it is created. Authority of commission.

(b) The commission shall cause to be prepared for the purposes designated in this act blanks which shall conform as nearly as practicable to the forms prescribed by the Interstate Commerce Commission, and shall, when necessary, furnish such blanks to each railroad. Any railroad receiving from the commission any such blanks shall cause the same to be properly filled out so as to answer fully and correctly each question therein propounded, and in case it is unable to answer any question it shall give a full and sufficient reason for such failure; and said answer shall be verified under oath by the proper officer of said railroad and returned to the commission at its office within the time fixed by the commission. The making of a false affidavit or the filing of the Blanks prepared, to what to conform.
Railroads to fill out, etc.
Verifications.
False affidavit perjury.

same shall be deemed perjury and punishable as such under the statutes of Michigan defining perjury.

Right of
commission
to inspect,
examine, etc.

(c) The commission or any commissioner, or any person or persons employed by the commission for that purpose, shall, upon demand, have the right to inspect the books and papers of any railroad and to examine under oath any officer, agent or employe of such railroad in relation to any matter which is subject to the complaint and investigation: *Provided*, That any person other than one of said commissioners who shall make such demand shall produce his authority to make such inspection under the hand of the commission, or the secretary, and under the seal of said commission.

Proviso, to
produce
authority.

May order or
subpoena,
production of
books, papers,
etc.

(d) The commission may require, by order or subpoena, to be served upon any railroad, in the same manner that a subpoena is served in a law action in the circuit court, the production within this State, at such time and place as it may designate, any books, papers or accounts relating to any matter which is the subject of complaint or investigation, kept by such railroad in any office or place without the State of Michigan, or verified copies in lieu thereof, if the commission shall so order, in order that an examination thereof shall be made by the commission or under its direction, and such subpoena may issue to any sheriff in any county of the State. Any railroad failing or refusing to comply with such order or subpoena within a reasonable time shall for each day it shall so fail or refuse, forfeit and pay into the State treasury a sum of not less than one hundred dollars nor more than one thousand dollars, to be recovered in an action at law brought in the name of the Railroad Commission of Michigan.

Per diem
penalty.

Contracts,
copies of;
railroad to
deliver to
commission.

SEC. 29. (a) Every railroad whenever required by the commission shall, within a time to be fixed by the commission, deliver to the commission for its use, copies of all contracts which relate to the transportation of persons or property or any service in connection therewith, made or entered into by it with any other railroad company, terminal company, depot company, car company, equipment company, express or other transportation company, bridge company, or any shipper or shippers, producers or consumers or other person or persons doing business with it.

Free tickets,
passes, etc.,
list of, filed
annually.

(b) Every railroad shall on the first Monday in February in each year, and oftener if required by the commission, file with the commission a verified list of all railroad tickets, passes and mileage books issued free or for other than actual money consideration at full established rates during the preceding year, together with the names of recipients thereof, the amount received therefor, and the reason for issuing the same. This provision shall not apply to the sale of tickets at reduced rates open to the public, nor to tickets, passes or mileage books issued to persons not residents of this State, nor to tickets, passes or mileage books issued prior to the passage of this act or issued pursuant to section five of this act.

Not applicable
to certain
tickets, etc.

SEC. 30. Every railroad company incorporated or doing business in this State, or which shall hereafter become incorporated or do business in this State, shall, on or before the first day of November, nineteen hundred seven, and on or before the same day in each year thereafter make and transmit to the commission at its office in Lansing a full and true statement, under oath of the proper official of such corporation, of the affairs of such corporation relative to the State of Michigan for the year ending the thirtieth day of June preceding, which statement for the State of Michigan shall be similar in character and detail to the annual report required to be made by railroad companies to the Interstate Commerce Commission. And the said commission shall cause to be made suitable blanks at the expense of the State, and forward the same to such railroad corporation, upon which to make reports required by this act. And the said railroad commission may make and propound to such railroad, or to any other common carrier subject to the provisions of this act, any other or additional interrogatories relating to the management of such corporation and to the condition of their respective road and rolling stock and such other subjects as in their judgment may be necessary in order to gain full information in regard thereto. Every railroad doing business in this State shall, when so ordered by the commission, report to the railroad commission its earnings from every source for the period designated in such order, and the proper blanks for that purpose shall be furnished by the commission. Any wilful neglect to make such reports shall render the company liable to a penalty of fifty dollars for each offense.

Annual statement of affairs of railroad.

To be similar to certain report.

Blanks, how furnished.

Report of earnings.

Penalty.

SEC. 31. All freight tariffs issued by any common carrier relating to interstate traffic in this State shall be filed in the office of the commission within thirty days after this act shall take effect, and all such tariffs thereafter issued shall be filed with the commission when issued.

Freight tariffs, filing of.

SEC. 32. Whenever, after hearing an investigation as provided in this act, the commission shall find that any change, regulation or practice affecting the transportation of passengers or property, or any service in connection therewith not herein specifically designated, is unreasonable or unjustly discriminatory, it shall have the power to regulate the same as provided in sections twenty-two and twenty-four of this act.

Power of commission after hearing.

SEC. 33. Every railroad shall, whenever an accident, attended with the loss of human life, occurs within this State upon its lines or road, or on its depot grounds or yards, give immediate notice thereof to the commission. In the event of any accident, the commission, if it deem the public interests require it, shall cause an investigation to be made forthwith, which investigation shall be held within the locality of the accident, unless for greater convenience of those concerned it shall order the investigation to be held at some

Accidents, certain reported to commission.

Investigation.

Notice given.	other place and said investigation may be adjourned from place to place, as may be found necessary and convenient.
Cost.	The commission shall seasonably notify an officer of the company of the time and place of the investigation. The cost of such investigation shall be certified by the chairman of the commission, and the same shall be audited and paid by the State in the same manner as other expenses are audited and paid, and record or file of said proceedings and evidence shall be kept by said commission.
When commission to notify company of unfit condition of cars, tracks, etc.	SEC. 34. Whenever the commission shall have reasonable grounds to believe, either on complaint or otherwise, that any of the equipment, cars, tracks, bridges or other structures of any railroad corporation of this State are in a condition which renders any of them dangerous or unfit for the transportation of passengers with reasonable safety, it shall be its duty to inspect and examine, or cause to be inspected, examined and tested by some competent person or persons, and for that purpose it, the said commission, may employ some other person possessing especial knowledge and skill in the construction of railroads and bridges, as an expert, and if, on such examination, in its opinion any such equipment, cars, tracks, bridges or other structure are unfit for the transportation of passengers with reasonable safety, it shall be its duty to give the superintendent or other executive officer of the corporation working or operating said defective equipment, car, track, or bridge, or other structure notice of the condition thereof, and of the repairs necessary to place the same in a reasonably safe condition. It may also order and direct the rate of speed of passing trains or cars over such dangerous or defective track, bridge or other structure, until the said repairs shall be made, and the time within which said repairs shall be made by the company; and if any superintendent or other executive officer aforesaid, receiving such notice or order to direct the proper subordinate officers of said corporation to run the passenger trains or cars over such defective track, bridge, or other structure, at the speed so prescribed by the commission, or if any engineer, conductor or other employe of such company shall knowingly disobey such order, every such superintendent, officer, conductor or employe shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding five hundred dollars, or be imprisoned in the State prison or jail of the county in which such conviction is had for a period not exceeding one year, or both such fine and imprisonment in the discretion of the court. And the said commission shall have power to wholly prohibit the running of passenger trains or cars over such defective track, bridge, or other structure, if said company shall neglect or without reasonable cause fail to make such repairs within the time prescribed by the commission; and such company, for each and every day that ensues thereafter, and until such repairs are made, shall forfeit and pay to
Speed over dangerous track or bridge.	
Penalty for disobedience of order.	
May prohibit running.	
Per diem forfeiture.	

the State the sum of one hundred dollars. In case of the employment of an expert, as provided for in this section, the commission shall issue a certificate, which shall set forth the amount of time said expert has been employed, and the pay he is to receive therefor, which certificate shall entitle the holder thereof to receive the amount mentioned therein in the same manner as other employes of the State are paid.

Employment
of expert;
certificate.

SEC. 35. Whenever, in the opinion of the Railroad Commission, the safety of the public reasonably demands the stationing of a flagman to signal trains or cars where a highway or street is crossed by any railroad or street railway, or where one railroad or street railway crosses or intersects another railroad or street railway, or by the building of a gate at such highway, street or railroad crossing or intersection, or street railway crossing, or by the erection and maintenance of an electric alarm bell, it shall direct the corporation or corporations owning or operating any such railroad, railroads, or street railway or street railways, to station a flagman, or to erect and maintain a gate or electric alarm bell at such crossing as the public safety may demand, and said commission shall have jurisdiction over the subject matter of this section to exclusion of all other boards or officers, State or municipal, and in case such flagman is directed to be stationed, or gate directed to be erected, or alarm to be installed and maintained where one such railroad crosses or intersects another, the expense thereof shall be borne jointly in just proportions as determined by the Railroad Commission, by the companies owning or controlling each of said railroads or electric railways. Any corporation or corporations neglecting or refusing to construct and maintain such gate, or to maintain such flagman, or to install such electric alarm so directed as aforesaid, shall each forfeit for every such neglect or refusal the sum of one hundred dollars and the further sum of ten dollars for every day which such neglect or refusal shall continue; and if such flagman shall neglect to display his flag, or perform such other duties as may be required of him by said commission, he shall, for every such neglect, be liable to a fine of twenty-five dollars, and shall also be liable for all damages sustained by any person by reason of such neglect, to be recovered in an action of tort: *Provided*, The corporation owning or operating any such railroad shall not be released from liability therefor, but shall be subject to the same liability at the option of the aggrieved party.

Flagman

Gates.

Electric bells.

Jurisdiction of
commission,
exclusive.

Forfeiture on
corporation.

Flagman, fine
and damage,
liability of.

Proviso, cor-
poration not
released from
liability.

SEC. 36. Authority is hereby given to the said commission, and it shall be its duty if it shall deem it advisable, to prescribe the use of such modern, generally approved system of protection of any crossing of a railroad by another railroad upon which cars are operated by steam, electricity or other motive power, such as will secure safety in the operation of trains at such crossings, and to apportion the cost of construction, operation and maintenance of such system

Modern
crossing pro-
tection, when
prescribed.

Cost appor-
tioned.

Description delivered to official.	of protection among several companies in such proportion as to the commission shall seem just. The commission having determined such form of protection shall immediately cause a description thereof over its official signature to be delivered to an officer of the railroad affected thereby, with notice that the same must be adopted and put into practical force within a reasonable time to be fixed by the commission.
Certain orders to be made only upon examination, etc.	SEC. 37. No order of the commission, made in pursuance of the provisions of sections thirty-five and thirty-six shall be made except upon examination, at which representatives of the railroads affected shall be entitled to be heard, after notice.
Penalty on carrier for wilful neglect, etc.	SEC. 38. Any common carrier that shall wilfully neglect or refuse to obey or conform to any order or direction of the commission made pursuant to either of sections thirty-five or thirty-six shall be liable to a penalty in the sum of five hundred dollars, and to a like penalty for every week thereafter until such order or direction shall have been complied with: <i>Provided</i> , That in cases in which an application for rehearing shall be made, or an action in court shall be begun and prosecuted in good faith and with diligence, the liability for the continuing penalty herein prescribed shall not apply or begin until after the decision of the commission on rehearing of the final order of the courts in such action.
Proviso, when penalty not to apply or begin.	SEC. 39. The Railroad Commission shall have power, and it shall be its duty, if it shall deem it practicable, in all cases to inspect and determine the sufficiency of all fences required by law to be constructed and maintained by railroad companies, and it may prescribe the manner of constructing and the time within which it shall be done.
Fences, inspection, etc., as to sufficiency of.	SEC. 40. Whenever any property is received by any common carrier subject to the provisions of this act to be transported from one place to another in the State, it shall, upon demand by the shipper, issue a receipt or bill of lading therefor, naming therein the classification of such freight and the rate of freight at which the same is to be carried, and it shall be unlawful for such common carrier to limit by contract or otherwise the negotiability of any bill of lading; nor shall any common carrier limit or change its common law liability by contract or otherwise as to its responsibility for the negligent act of its agents and servants with reference to property in the custody as a common carrier: <i>Provided</i> , That nothing herein contained shall be so construed as to abridge or in anywise lessen the liability of any such common carrier as it now is under existing laws. All statements rendered for transportation charges shall show character of shipments, weight, rate and total charges before demanding payment.
Bill of lading, what to contain.	SEC. 41. This commission shall inquire into any neglect or violation of the laws of this State by any such railroad corporation hereinbefore defined doing business therein, or by its officers, agents or employees thereof, or by any person
Unlawful to limit negotiability, etc.	
Proviso.	
Transportation statements, what to show.	
To inquire into violations and enforce provisions.	

operating a railroad, and shall have the power, and it shall be its duty, to enforce the provisions of this act as well as all other laws relating to railroads and report all violations thereof to the Attorney General. Upon the request of the commission, it shall be the duty of the Attorney General, or the prosecuting attorney of the proper county, to aid in any investigation, prosecution, hearing or trial had under the provisions of this act, and to institute and prosecute all necessary actions or proceedings for the enforcement of this act and of all other laws of this State relating to railroads and for the punishment of all violations thereof. Any forfeiture and penalty herein provided shall be paid to the State treasury, and shall be recovered and suit therefor shall be brought in the name of the State of Michigan in the circuit court of any county having jurisdiction of the defendants. The Attorney General of Michigan, or any prosecuting attorney selected by the said commission in any county where such action is pending, shall be the counsel in any proceeding, investigation, hearing or trial prosecuted or defended by the commission.

Attorney General or prosecutor to aid.

Forfeitures and penalties, how recovered, where paid.

Counsel for commission, who to be.

SEC. 42. All claims against any railroad for loss or damage to property from any cause, or for over-charge upon any shipments, or for any other service, if not acted upon within ninety days from the date of filing of such claim with the railroad, may be investigated by the commission in its discretion, and the result of such investigation may be embodied in a special report and the next annual report of the commission.

Claims for loss, damage or overcharge, when investigated.

SEC. 43. When fifty freeholders of any municipality shall petition the commission asking for railroad facilities to accommodate the business of such municipality, the commission shall notify an officer of said railroad and the said petitioners of a time and place when it will hear the said petitioners and said road in regard to the desirability and practicability of furnishing such facilities. At the time and place so designated, the commission shall make full inquiry into the matter and make such order in regard to the building of depots, interurban shelters, stopping of trains or cars, necessary sidings and other track accommodations as it shall deem for the public interests and shall be just and reasonable. Any company neglecting or refusing to comply with such order within the time prescribed shall forfeit and pay to the State one hundred dollars per month for every month ensuing after the expiration of the time for compliance therewith: *Provided*, That the State shall not be liable for any damages that may accrue to such railroad company or individual, copartnership or corporation by reason of any such order or any proceedings under or by virtue thereof, and no such claims shall be allowed against or paid by the State.

Petition for railroad facilities.

May inquire into and order depots, etc.

Forfeiture, etc., for non-compliance.

Proviso, state not liable.

SEC. 44. The police powers of the State over street railways, interurban railways and suburban street railways,

Police powers of state vested in commission.

whether operated by steam, electricity or other motive power, organized or doing business in this State, shall be and the same are hereby vested in the Railroad Commission, and it is hereby made the duty of said Railroad Commission to exercise the same in accordance with the requirements of the law.

Compliance
required.

SEC. 45. A substantial compliance with the requirement of this act shall be sufficient to give effect to all rules, act and regulation of the commission, and they shall not be declared inoperative, illegal or void for any omission of a technical nature in respect thereto.

Rights of
action not
released, etc.

SEC. 46. This act shall not have the effect to release or waive any right of action by the State or by any person for any right, damage, penalty or forfeiture which may have arisen or which may hereafter arise under any law of this State, and all penalties and forfeitures accruing under this act shall be cumulative, and a suit for and recovery of one shall not be a bar to the recovery of any other penalty or damage.

Penalties etc.
to be cumu-
lative.

Additional
remedies in
mandamus,
injunction,
etc.

SEC. 47. In addition to all the other remedies provided by this act for the prevention and punishment of any and all violations of the provisions hereof and of all orders of the commission, the commission may compel compliance with the provisions of this act and with the orders of the commission by proceedings in mandamus, injunction or by other appropriate civil remedies.

Record of
findings, de-
cisions, etc.

Annual
report to
Governor.

SEC. 48. The commission shall keep a record of all its findings, decisions, determinations and investigations under this act or under any other act prescribing its duties and powers, and shall on January first of each year render to the Governor a full and complete report of all such findings, decisions, determinations and investigations, together with a statement of all moneys expended by it or on its order, and of all salaries paid by or to it. It shall include in such report such recommendations as it shall desire to make on the conduct of railroad business in the State of Michigan, and such portion or abridgment of the reports of the various railroad corporations made to it as it shall deem to be of interest to the general public. This report shall be printed and distributed as provided by law.

Powers,
duties, etc.,
transferred
to commis-
sion.

SEC. 49. All powers, duties and privileges imposed and conferred under existing laws upon the Commissioner of Railroads, the railroad and street crossing board, the crossing board as defined by section six thousand two hundred thirty-two of the Compiled Laws of eighteen hundred ninety-seven, and the board of railway consolidations as defined by section six thousand two hundred fifty-five of the Compiled Laws of eighteen hundred ninety-seven, under existing laws are hereby imposed and conferred upon the commission created under the provisions of this act, and wherever in the said act or either of them the Commissioner of Railroads, the railroad and street crossing board, the crossing board,

and the board of railway consolidations, or either of said officials or boards, are named, the same shall be construed to mean and apply to and name the Michigan Railroad Commission; and in so far as any act which authorized the appointment and fixes the powers and duties of the Commissioner of Railroads, the railroad and street crossing board, the crossing board as defined in section six thousand two hundred thirty-two of the Compiled Laws of eighteen hundred ninety-seven, and the board of railway consolidations as defined by section six thousand two hundred fifty-five of the Compiled Laws of eighteen hundred ninety-seven, are inconsistent with or in conflict with any of the provisions of this act, the same will be deemed to be modified by this act so as to bring the provisions of the said several acts in conformity to the provisions of this act: *Provided*, That the powers and duties conferred upon the Railroad Commissioner and the said several boards by laws in force at the passage of this act shall continue to be exercised by them until the commission provided for in section one of this act has been organized and qualified.

Acts modified
to conform.

Proviso, before
commission
organized

SEC. 50. Each section of this act and every part of each section is hereby declared to be an independent section and part of a section, and the holding of any section or part thereof to be void and ineffective for any cause shall not be deemed to affect any other section or any part thereof.

Sections of
act, declared
independent
sections.

Approved June 28, 1907.

[No. 313.]

AN ACT to amend sections two and four of act number one hundred fifty-six of the public acts of eighteen hundred eighty-three, entitled "An act creating a Bureau of Labor and Industrial Statistics and defining the powers and duties of the same," being sections four thousand five hundred ninety-eight and four thousand six hundred of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Sections two and four of act number one hundred fifty-six of the public acts of eighteen hundred eighty-three, entitled "An act creating a Bureau of Labor and Industrial Statistics and defining the powers and duties of the same," being sections four thousand five hundred ninety-eight and four thousand six hundred of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

Sections
amended.

Statistics of
labor, by
whom made,
etc.

SEC. 2. The duties of such bureau shall be to collect in the manner herein provided, assort, systematize, print and present to the Governor, on or before the first day of February, eighteen hundred eighty-four, and annually thereafter, statistical details relating to all departments of labor in this State, including the penal institutions thereof, particularly concerning the hours of labor, the number of laborers and mechanics employed, with the nativity, age and sex of such laborers and mechanics, whether married or single, the daily wages earned and savings therefrom, the number and character of accidents, the sanitary conditions of establishments or institutions where labor is employed, the subjects of strikes, cooperation, labor difficulties, organized labor, their effects on labor and capital, with such other matter relating to the industrial, social, educational and sanitary conditions of the laboring classes and to the productive industries of the State, including the names of firms, companies or corporations where located, capital invested in grounds, buildings and machinery, the kinds of goods produced, or manufactured, the time operated each year, the amount paid annually for materials, rent, taxes and insurance, the number of employes, male and female, the number engaged in clerical work and manual labor, with a classification of the number of each sex engaged in each occupation and the average daily wages paid each. The Commissioner of Labor is authorized to

Special agents
appointed,
duties.

Proviso as to
non-publica-
tion of separ-
ate establish-
ments.

appoint special agents to represent the bureau, with authority to visit firms and establishments and to collect such statistics, and perform such other duties as may be required, with like power as if conferred on said Commissioner: *Provided*, That the Commissioner of Labor nor any one connected with his office, shall not publish, make public, nor give to any individual or to the public the separate individual statistics obtained from any manufacturing establishment, but all such statistics must be published in connection with other similar statistics and given to the public in aggregates and averages.

Compensation
of commis-
sioner, etc.,
how paid.

SEC. 4. The compensation of such Commissioner shall be two thousand dollars per annum, and that of his deputy fifteen hundred dollars per annum, which compensation, together with all necessary expenses, including the employment and the paying of the expenses, of such assistants as are provided for in section one of this act, also the expenses provided in section three of this act shall be audited and paid in the same manner as the salaries and expenses of other State officers: *Provided*, The amount thereof, exclusive of the compensation allowed to said Commissioner and his deputy, shall not, in any one year, exceed the sum of ten thousand dollars: And *Provided further*, That in addition to the above allowance for expenses said bureau shall be authorized to have printed not to exceed four thousand copies of its annual reports for the use of the bureau, for general distribution, and all printing, binding, blanks or map work, and all supplies shall be done or furnished under any contract which

Proviso as to
certain com-
pensation.

Proviso as to
supplies, etc.

the State now has or shall have for similar work with any party or parties, and the expense thereof shall be audited and paid in the same manner as other State printing.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 314.]

AN ACT to provide for the punishment of persons responsible for or contributing to the delinquency of children.

The People of the State of Michigan enact:

SECTION 1. In all cases where any child shall be a delinquent child, or a juvenile delinquent person, as defined by the statutes of this State, the parent or parents, legal guardian or person having the custody of such child, or any other person, responsible for or by any act encouraging, causing or contributing to the delinquency of such child shall be guilty of a misdemeanor, and upon trial and conviction thereof, shall be punished by a fine not exceeding the sum of one hundred dollars or imprisonment in the county jail for a period not exceeding ninety days, or both such fine and imprisonment: *Provided*, That the court may, in its discretion, suspend sentence upon any person found guilty under this act upon conditions which may be imposed by the court at the time of the suspension of such sentence.

Parents, etc., of delinquent children, responsibility of, penalty.

Proviso as to suspension of sentence.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 315.]

AN ACT to amend section forty-five of chapter eighty-four of the revised statutes of eighteen hundred forty-six, entitled "Of divorce," being section eight thousand six hundred fifty-seven of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section forty-five of chapter eighty-four of the revised statutes of eighteen hundred forty-six, entitled "Of divorce," being section eight thousand six hundred fifty-seven of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Section amended.

Service of
subpoena on
prosecutor.

Duty of
prosecutor.

When prose-
cutor to
oppose decree.

Fee of
prosecutor.

Proviso, when
prosecutor
interested as
as counsel.

SEC. 45. Every bill of complaint filed shall set forth the names and ages of all children of the marriage, and when there are children under fourteen years of age a copy of subpoena issued in the cause shall be served upon the prosecuting attorney of the county where suit is commenced, and it shall be the duty of said prosecuting attorney to enter his appearance in said cause, and when, in his judgment, the interest of said children or the public good so require, he shall introduce evidence, and appear at the hearing and oppose the granting of a decree of divorce. And in any case wherein there are no children, the issue of such marriage under the age of fourteen years, when it shall appear to the court that the public good so requires, an order may be entered requiring the prosecuting attorney to appear and oppose the granting of a decree of divorce. For every case which the prosecuting attorney contests by and with the consent of the court, he shall receive the sum of five dollars, to be paid by the county treasurer upon the certificate of the circuit judge that such services have been performed: *Provided*, That nothing in this act contained shall be construed as preventing prosecuting attorneys or their partners from acting as solicitors or counsel for either party to the suit. And in case a prosecuting attorney shall be in any way interested as solicitor or counsel for either of said parties it shall be the duty of the court to appoint some reputable attorney to perform the services of prosecuting attorney, as provided in this act, who shall receive the compensation provided for such service.

Approved June 28, 1907.

[No. 316.]

AN ACT to amend section four of act number one hundred twenty-nine of the session laws of eighteen hundred sixty-seven, entitled "An act rendering persons disqualified for sitting as jurors in certain cases," being section three hundred forty-nine of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section four of act number one hundred twenty-nine of the session laws of eighteen hundred sixty-seven, entitled "An act rendering persons disqualified for sitting as jurors in certain cases," being section three hundred forty-nine of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Cause of
challenge.

SEC. 4. It shall be a good cause of challenge to any juror in any justice or police court in any city, township or village

in this State, in addition to the other causes of challenge allowed by law, that such person has served as a juror in any justice or police court in any such city, township or village in this State two times within one year previous to such challenge.

Approved June 28, 1907.

[No. 317.]

AN ACT to amend sections one, two, three, four, five, seven, eight and seventeen of act number two hundred forty-nine of the public acts of nineteen hundred three, entitled "An act to provide for the preservation of the forests of this State and for the prevention and suppression of forest and prairie fires."

The People of the State of Michigan enact:

SECTION 1. Sections one, two, three, four, five, seven, eight and seventeen of act number two hundred forty-nine of the public acts of nineteen hundred three, entitled "An act to provide for the preservation of the forests of this State and for the prevention and suppression of forest and prairie fires," are hereby amended to read as follows: Sections amended.

SEC. 1. The State Game, Fish and Forest Warden shall have charge of the prevention and suppression of forest fires, as hereinafter provided. The supervisors of townships are hereby constituted fire wardens of their respective townships. The State Game, Fish and Forest Warden shall appoint a fire warden for each surveyed township of this State in which a supervisor does not reside. The fire warden so appointed shall be, where possible, a resident of the surveyed township for which he is appointed. Forest fires, prevention, etc., of.
Fire Wardens.

SEC. 2. The State Game, Fish and Forest Warden shall divide the counties affected by this law into districts of suitable and convenient size, as he may deem advisable, and appoint for each of such districts a deputy game, fish and forest warden: *Provided, however,* That not more than ten such deputy wardens shall be so appointed, who shall have all the powers heretofore possessed by deputy game and fish wardens. Each of said deputy game, fish and forest wardens shall receive from the State a salary of not exceeding one thousand dollars per year, to be fixed by the State Game, Fish and Forest Warden, and his necessary expenses, payable monthly, and shall be subject to the orders and direction of the State Game, Fish and Forest Warden in the performance of the duties hereinafter prescribed. Such deputy game, fish and forest wardens shall hold their offices during the pleasure of Fire districts.
Proviso as to number of deputies.
Salaries.
Term of office.

Duties of.	<p>the State Game, Fish and Forest Warden, and shall be subject to removal by him at any time. It shall be the duty of such deputy game, fish and forest wardens to familiarize themselves by personal investigation with the locality and the condition of the cut-over lands, prairie lands and other districts in their respective counties where fires are most likely to start and spread, and to take such precautions as they shall deem reasonable and proper to prevent the starting or spreading of fires in such districts, and in doing so, may enter upon lands and remove or destroy brush, rubbish and other dangerous combustible material, wherever necessary. It shall be the duty of such deputy game, fish and forest wardens to caution all sportsmen, settlers and others of the danger from fires in the woods, to extinguish all fires left burning by any one, if within their power; and to give notice to any and all parties interested, when possible, of fires raging and beyond their control, to the end that the same may be controlled and extinguished. In case of fire, such deputy game, fish and forest wardens shall have the power to employ assistance in emergencies to extinguish or control fires, to the same extent and in the same manner as fire wardens of townships in which fires are raging, and shall also have the power to call upon the fire wardens hereinbefore provided for in each of the townships affected by such fire for all such assistance as such township fire wardens shall be entitled to employ under the provisions of this act. It shall be the duty of said deputy game, fish and forest wardens, whenever possible, to go to the place of fire, take personal charge of and direct all efforts to extinguish and control the same. Said deputy game, fish and forest wardens shall have general charge of township fire wardens in his district, and shall have authority to mass such fire warden force as may be available, at any special point in his district, to suppress fires.</p>
Notice as to fires.	
Employ assistance in case of fire.	
To have general charge of fire wardens.	
Warden, to have general charge of deputies, etc. Deputies to make annual reports.	<p>SEC. 3. The State Game, Fish and Forest Warden shall have general charge of all the deputy game, fish and forest wardens and fire wardens hereinbefore provided for. Said deputy game, fish and forest wardens shall make annual reports to the State Game, Fish and Forest Warden, and such other written and verbal reports as he may require, which annual reports shall show in detail each fire occurring in such district, stating the cause of the same, the method used to control or extinguish such fire, amount of property destroyed and the number of lives lost, and such other facts as the State Game, Fish and Forest Warden may require. In case the fire warden force of any locality is deemed by the State Game, Fish and Forest Warden inadequate to prevent or suppress forest fires, he shall appoint temporarily needed fire wardens whose duties and authority shall be the same as is herein given to supervisors acting as fire wardens. He shall have authority to mass such fire warden force as may be available at any special point to suppress fires. He shall cooperate with any police or military force of the United</p>
Temporary, fire wardens when may be appointed.	
To co-operate with police force, etc.	

States government which may be detailed to guard the national domain from fire. He shall investigate, or cause to be investigated by said deputy game, fish and forest wardens, the damages done from time to time by forest fires, and the causes of such fires, and include the same in the annual report to be made by him to the Governor. The Commissioner of the State Land Office is hereby made Forest Commissioner of the State. Said Forest Commissioner shall investigate the extent of the forests of the State, together with the amounts and varieties of the wood and the timber growing therein, the method used, if any, to promote the regrowth of timber, and any other facts relating to forest interests which he may regard as important. The State Game, Fish and Forest Warden shall cooperate with the Forest Commissioner in securing such information, and shall render such assistance as may be possible through his department in securing the same.

To investigate damages, etc.

Forest commissioner, who to be, duties.

To co-operate with state warden.

SEC. 4. The State Game, Fish and Forest Warden shall provide and officially sign an abstract of the penal laws of this act, with such rules and regulations in accord therewith as he may deem necessary, and on or before the first day of March of each year he shall forward as many copies as he considers needful to the several fire wardens in the State and to all railroad companies, and it shall be the duty of said fire wardens to post up such abstract as warning placards in twelve conspicuous places in their respective districts.

Penal laws, abstract of, when, by and to whom made.

Copy of, to be posted.

SEC. 5. During a dry and dangerous season, when forest fires are prevailing or are liable to break out, the State Game, Fish and Forest Warden shall use such means under his command as he may deem necessary to prevent or suppress fires, and the expenses thus incurred shall be paid by the State, which expenditures in any fiscal year shall not exceed ten thousand dollars, to be paid out of the general fund upon the order of the State Game, Fish and Forest Warden.

Expenses for suppressing fires, amount of, how paid.

SEC. 7. The State Game, Fish and Forest Warden, the deputy game, fish and forest wardens and the several fire wardens created by this act shall have authority to enforce the provisions of this act, and it shall be the duty of said deputies and said fire wardens to cooperate with the fire warden of any adjoining district, and in the absence of such fire warden to direct the work of control and extinguishment of forest fires in such district, and to arrest, without warrant, every person found violating any provision of this act, and to forthwith take the offender before a magistrate and make complaint against such person. It shall further be the duty of each of said deputy game, fish and forest wardens to look up the evidence relative to all fires the cause of which is unknown, and actively endeavor to secure the conviction of all persons violating the provisions of this act. The township fire wardens provided for in this act shall inquire into the cause of each forest fire within their respective districts,

Fire wardens may make arrests.

To investigate unknown causes of fires to secure conviction.

To inquire into causes of fires, make reports.

Deputies
may be
transferred.

and report the same verbally or in writing to the district warden, as he may request, and shall also inform him of conditions existing in their several districts believed by them to be dangerous, and also report such other facts as the district warden may require. The State Game, Fish and Forest Warden may transfer to any other district than the one for which he is appointed for a specified time, any deputy game, fish and forest warden, to aid in the enforcement of the laws for the protection of game and fish and in the prevention and suppression of forest fires.

Compensation
of fire war-
dens, how
paid.

SEC. 8. Each fire warden shall receive for his actual services rendered under this act two dollars per day, two-thirds of which shall be paid by the municipality where such service is performed, and one-third by the State; and any employee engaged in like service shall receive at the rate of two dollars per day, and said expense shall also be paid, two-thirds by the municipality where such service is rendered, and one-third by the State, as hereinafter provided, but no payment shall be made to any claimant under this act until he shall have presented an itemized account and made oath or affirmation that said account is just and correct, which account shall be approved by the township board. The clerk of the board shall thereupon issue to each claimant his warrant upon the township treasurer for the entire sum to which such claimant is entitled, and such treasurer shall pay the same. Such clerk shall transmit the original oath and copy of the warrant to the Auditor General, who shall audit such claim, and one-third thereof shall be paid out of the State treasury from the general revenue fund by warrant issued by the Auditor General upon the State Treasurer, in favor of the county in which the same was paid and forward the same to the treasurer of said county, who shall pay it over to the treasurer of the proper township: *Provided*, That no fire warden shall be paid in any one year for more than ten days' service in extinguishment and preventing forest fires, nor for more than five days' service in each year in posting notices and making the reports required by this act, nor, in the aggregate, for more than fifteen days' services of whatever character, in any one year; nor shall any one person employed by fire wardens to assist in extinguishing or preventing forest fires be paid for more than five days of such service in any one year, except upon special instruction from the State Game, Fish and Forest Warden.

Adjustment
of claims.

Proviso as to
time to be
paid for.

Annual re-
port.

SEC. 17. The Forest Commissioner shall, annually on or before the first day of December, make a written report to the Governor, together with an itemized account of the expenses incurred in carrying out the provisions of this act, which report shall include such statistics and facts as he has obtained from the chief fire warden and from the several fire wardens of the State, and from other sources, together with his suggestions relative to the preservation of the forests of

the State and the prevention and extinguishment of forest fires.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 318.]

AN ACT to provide for the incorporation of mutual benefit societies, membership in which is confined to members of a particular religious denomination.

The People of the State of Michigan enact:

SECTION 1. Any society heretofore or hereafter organized, the membership of which is confined to members of a particular religious denomination, and having for its object the payment of a sum or sums of money to designated beneficiaries on the death of a member or wife of a member, or the payment of sick, or funeral benefits, or all, or any one of such objects, may become a body corporate in the following manner: At any regular meeting of such society, due notice having been given at the preceding meeting, a vote shall be taken on the question, "Shall this society become a body corporate," and when said question shall have been adopted by a vote of two-thirds of the members present and voting thereon, said society shall file in the office of the Secretary of State and also in the office of the county clerk of the county in which the headquarters of the society is situated, a copy of the constitution and by-laws of said society, and also a copy of the above vote, certified to by the president and secretary of said society; and said society shall thereupon become a body corporate, and may sue and be sued.

Society may become a body corporate.

Time and manner of incorporation.

SEC. 2. No corporation organized under the provisions of section one of this act, shall pay a death or funeral benefit in excess of five hundred dollars upon the death of any member or his wife, nor shall such corporation pay a sick benefit to any member in excess of six dollars per week.

Limit of sick or funeral benefit.

SEC. 3. No corporation organized under the provisions of this act, shall issue stock, borrow money, hold invested funds or acquire or hold any real estate except such as may be necessary for the transaction of its business.

Not to issue stock, borrow money, etc.

SEC. 4. Funds of such corporation shall be derived from assessments upon members and membership dues, and shall be collected and applied only as prescribed in its constitution and by-laws.

Funds.

SEC. 5. The constitution and by-laws of such corporation may be amended by a vote of two-thirds of the members present voting thereon at any regular meeting: *Provided*,

Amendment of by-laws.

Proviso, notice.

[No. 320.]

AN ACT to amend sections one and six of chapter twelve of act number two hundred fifteen of the public acts of eighteen hundred ninety-five, entitled "An act to provide for the incorporation of cities of the fourth class," being sections three thousand one hundred sixteen and three thousand one hundred twenty-one of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Sections
amended.

SECTION 1. Sections one and six of chapter twelve of act number two hundred fifteen of the public acts of eighteen hundred ninety-five, entitled "An act to provide for the incorporation of cities of the fourth class," being sections three thousand one hundred sixteen and three thousand one hundred twenty-one of the Compiled Laws of eighteen hundred ninety-seven, are hereby amended to read as follows:

Police and
night watch-
men.

SEC. 1. The council of any city may provide, by ordinance, for a police force and for the appointment by the mayor of such number of policemen and nightwatchmen as they may think necessary for the good government of the city and for the protection of the persons and property of the inhabitants; and may authorize the mayor to appoint special policemen from time to time, when in his judgment the emergency or necessity may so require.

Special police.

Suspension on
complaint.

SEC. 6. The mayor may suspend any policeman or nightwatchman on the complaint in writing and under oath of any citizen or on his own motion for a period of not longer than thirty days for neglect of duty, misconduct or other sufficient cause. At a public hearing before such mayor, as provided for in section three of chapter seven of this act, if such mayor shall be satisfied of the guilt of such policeman or nightwatchman, then it shall be the duty of such mayor to remove such officer from office. After such removal the mayor shall report such action to the council at its next regular meeting and his reasons therefor.

Removal.

Approved June 28, 1907.

[No. 321.]

AN ACT to amend section one of act number two hundred sixty-six of the public acts of eighteen hundred ninety-five, entitled "An act relative to bonds and other obligations, with surety or sureties, and the acceptance as surety, thereon of companies qualified to act as such, and the release of such surety, and the safe depositing of assets for which such surety may be liable, and to the charging by fiduciaries of the expense of procuring sureties, and repealing all laws in conflict therewith," as amended by act number one hundred six of the public acts of eighteen hundred ninety-seven, the same being compiler's section five thousand one hundred ninety-six of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section one of act two hundred sixty-six of the public acts of eighteen hundred ninety-five, entitled "An act relative to bonds and other obligations with surety or sureties and the acceptance as sureties thereon of companies qualified to act as such and the release of such surety, and the safe depositing of assets for which such surety may be liable, and to the charging by fiduciaries of the expense of procuring sureties and repealing all laws in conflict therewith," as amended by act one hundred six of the public acts of eighteen hundred ninety-seven, said section being compiler's section five thousand one hundred ninety-six of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

SEC. 1. Whenever any bond, undertaking, recognizance or other obligation is by the law of the State or by the charter, ordinances, rules or regulations of any municipality, board, body, organization or public officer, or in any judicial or other proceeding required or permitted to be made, given, tendered or filed with the surety or sureties and whenever the performance of any act, duty or obligation, or refraining from any act is required or permitted to be guaranteed, such bond, undertaking, obligation, recognizance or guaranty, may be executed by a surety company, qualified to act as surety or guarantor as hereinafter provided, and such execution by such company of such bond, undertaking, recognizance, obligation or guaranty shall be in all respects a full and complete compliance with every requirement of every law, charter, ordinance, rule, regulation or order, that such bond, undertaking, obligation or recognizance or guaranty shall be executed by one surety, or by one or more sureties, or that such sureties shall be residents or householders or freeholders or either or both, or possess any other qualifica-

Section amended.

Surety companies authorized to execute bonds.

Proviso, bail
bonds.

Proviso,
approval of
bonds.

Proviso, to be
Michigan
corporation.

Proviso,
when unlaw-
ful to accept.

Proviso,
charge for
liquor bonds.

Proviso, suits,
how com-
menced.

Attorney
appointed.

Repealing
clause.

tions: *Provided*, That such sureties companies shall in no case be accepted as surety on any recognizance for the appearance of persons charged with crime: *Provided further*, That where any bond is required for the sale of liquors under the laws of this State, such bonds shall not be executed by any surety company as herein provided, except by and with the consent and approval of the township board, or of the board of trustees or of the common council of any village or city, as the case may be, within which said bond is required to be filed: And *Provided further*, That the bond of such surety company shall not be accepted by said township board, common council or a board of trustees, unless such surety company shall be a corporation of the State of Michigan, organized and existing under the laws of the State of Michigan, and with a capital stock of not less than five hundred thousand dollars: *Provided*, That whenever a majority of the qualified electors of any township, village or city equal to a majority of the votes cast for Governor at the last general election shall file a petition with the township board of any township, board of trustees, council or common council of any village or city, protesting against the acceptance of the bonds offered by any individual, firm or corporation proposing to engage in the sale of intoxicating liquors at retail, it shall be unlawful for such township board of such township, board of trustees, council or common council of any village or city to accept such bonds: And *Provided further*, That such bonding company or companies shall not charge more than ten dollars per thousand dollars for going on such liquor bond or bonds: *Provided further*, That suits may be commenced in the circuit court in any county where the plaintiff resides, by declaration or writ, and service shall be made in such cases only upon the Commissioner of Insurance in like manner and with like effect as is provided for the service of process upon societies, orders or associations organized under the laws of any other state, province or territory and doing business in this State, and not having its principal office within this State, and for the purpose of service of process as herein provided such surety company shall appoint in writing the Commissioner of Insurance, or his successor in office, to be its true and lawful attorney.

SEC. 2. All acts or parts of acts, whether local or general, inconsistent with the provisions of this act are hereby repealed.

Approved June 28, 1907.

[No. 322.]

AN ACT to amend sections twenty-seven and fifty-two of act number two hundred five of the public acts of eighteen hundred eighty-seven, entitled "An act to revise the laws authorizing the business of banking, and to establish a banking department for the supervision of such business," as amended, being compiler's sections six thousand one hundred sixteen and six thousand one hundred forty-one, respectively, of the Compiled Laws of eighteen hundred ninety-seven, as amended by act number two hundred sixty-two of the public acts of nineteen hundred five.

The People of the State of Michigan enact:

SECTION 1. Sections twenty-seven and fifty-two of act two hundred five, public acts of eighteen hundred eighty-seven, entitled "An act to revise the laws authorizing the business of banking, and to establish a banking department for the supervision of such business," such sections being compiler's sections six thousand one hundred sixteen and six thousand one hundred forty-one of the Compiled Laws of eighteen hundred ninety-seven, as amended by act two hundred sixty-two of the public acts of nineteen hundred five, are hereby amended to read as follows: Sections amended.

SEC. 27. A savings bank shall keep on hand at least fifteen per cent of its total deposits, one-third of which reserve shall be in lawful money in its own vaults and the balance on deposit, payable on demand, with banks, National or State, in cities approved by the commissioners as reserve cities, or invested in United States bonds; three-fifths of the remainder of the savings deposits shall be invested by the board of directors as follows: Savings banks deposits, amount of reserve.

(a) In bonds of the United States, of any State or territory of the United States: *Provided*, That such State or territory has not, in the ten years preceding the time of such investment repudiated its debt and failed to pay the same, or the interest due thereon, or upon any part of such debt; or In U. S. bonds, etc. Proviso as to states, etc.

(b) In the public debt or bonds of any city, county, township, village or school district of any State or territory in the United States, which shall have been authorized by the legislature of such State or territory: *Provided*, The total indebtedness of such municipality does not exceed five per cent of its assessed valuation, except by a vote of two-thirds of the board of directors, such bonds may be purchased if the total liabilities do not exceed ten per cent of its assessed valuation; or City or county bonds, etc. Proviso as to indebtedness.

(c) In the legally authorized first mortgage bonds of any steam railroad corporation organized under the laws of any state of the United States: *Provided*, That such company has for five years prior to the time of making such in- Steam railroad bonds. Proviso as to dividends paid, etc.

vestment by said bank, paid annually, dividends equal to not less than four per cent on its entire capital stock and has not during said period defaulted in the payment of the matured principal or interest of any debts incurred by it and secured by mortgage or trust deed upon its property or any part thereof, or in the payment of any part of the matured principal or interest of any bonds guaranteed and assumed by it; or

Leased lines
of railroads.

(d) In the first mortgage bonds of railroad companies whose lines are leased or operated or controlled by any railroad company specified in paragraph (c) of this section, if said bonds be guaranteed both as to principal and interest by the railroad company to which said lines are leased or by which they are operated or controlled;

Bonds retiring mortgage
indebtedness
of steam rail-
roads.

(e) In the legally authorized mortgage bonds of any steam railroad incorporated under the laws of any state of the United States, which shall have been issued for the purpose of retiring all prior mortgage indebtedness on so much of the property of such company as is covered by the mortgage securing such issue of bonds, and further providing for additions, extensions or improvements: *Provided*, That such company has, for three years prior to the time of making such investment by said bank, paid annually, dividends equal to not less than four per cent on its entire capital stock, which capital stock shall equal or exceed in amount one-third of the par value of all its bonded indebtedness, and has not, during the same period, defaulted in the payment of the matured principal or interest of any debts incurred by it and secured by mortgage or trust deed upon its property or any part thereof, or in the payment of any part of the matured principal or interest upon a bond guaranteed or assumed by it: *Provided*, Said issues of bonds shall have been approved by the securities commission, hereinafter provided for;

Proviso as to
dividends
paid, capital
stock, etc.

Proviso as to
approval.

Street rail-
ways, gas
companies,
etc.

Proviso as to
dividends
paid, etc.

(f) In the legally authorized first mortgage bonds of any electric railroad, street railway, gas or electric light or power company, organized under the laws of the State of Michigan: *Provided*, That such company has, for five years prior to the time of making such investment by said bank, paid annually, dividends equal to not less than four per cent on its entire capital stock, and has not, during the same period defaulted in the payment of the matured principal or interest or any debts incurred by it and secured by mortgage or trust deed upon its property or any part thereof, or in the payment of any part of the matured principal or interest of any bonds guaranteed or assumed by it; or in the first mortgage bonds of any such company which has been in operation less than five years: *Provided*, That the cost of construction and equipment of the plant of such company shall exceed by at least fifty per cent the amount of the entire bonded indebtedness of such company, and the said plant and equipment shall be free from all other liens and encumbrances, and the said company shall have earned during the period it has been in

Proviso as to
cost of plant,
encumbrances
and earnings.

operation, more than enough to pay all interest accrued on all said bonds and not less than four per cent per annum dividends upon its entire capital stock outstanding: *Provided*, Said issues of bonds shall have been approved by the securities commission hereinafter provided for; Proviso as to approval

(g) In the legally authorized first mortgage bonds of steamship companies: *Provided*, That such mortgages shall be upon steel steamship or steamships for the carriage of freight or package freight and passengers combined, upon the Great Lakes and connecting waters of at least five thousand tons carrying capacity each: *Provided*, Such bonds are issued at the time of completion and enrollment of such steamship or steamships, or within one year thereafter: Steamship companies. Proviso as to certain steamships.
And Provided further, That by the express terms of said mortgage, at least ten per cent of the total issue of said bonds shall be retired annually, beginning within two years from the date of said bonds, and that the mortgage liability against said property shall not exceed one-half of its actual cost: Proviso as to time of issue.
And Provided further, That the trustees of such mortgage shall be required to protect the lien of said mortgage by attending to the recording thereof and by causing property covered by said mortgage to be insured against all risks on vessel property ordinarily covered by such insurance, including marine risks and disasters, general and particular average, collision liability, protection and indemnity insurance and insurance against liability for injuries to persons, in insurance companies and under forms of policies approved by the trustee, for an amount equal to the full insurable value of such steamship, such insurance to be made with loss payable to said trustee and the policies deposited with it: Proviso as to amount retired annually and liability.
And Provided further, That there shall be filed with the Commissioner of the Banking Department of this State a schedule of the insurance upon such property, which schedule shall be signed by the trustee under said mortgage and shall be accompanied by the certificate of said trustee that the policies mentioned in said schedule are held by said trustee and are payable to said trustee in case of loss for the benefit of the holders of the outstanding bonds issued under such mortgage; and further, that similar certificates be filed from time to time by said trustee with said Commissioner of the Banking Department of this State, evidencing renewals of said insurance by proper policies or legal insurance binders: Proviso as to trustees protecting lien.
Provided further, That by the terms of such mortgage, the mortgagor shall not suffer such steamship to become indebted in an amount exceeding five per cent of the original amount of the principal of said mortgage at any time and that the failure of the mortgagor to forthwith procure the release of such steamship or steamships, from mechanics', laborers', admiralty, statutory or other liens, claims or charges against such steamship, shall constitute a default in the provisions of such mortgage: Proviso as to filing schedule of insurance, etc.
And Provided further, That such bonds Renewal of certificates.
Proviso as to indebtedness of steamships.
Certain liens to constitute default.
Proviso as to approval.

shall have been approved by the securities commission hereinafter provided for;

Secured negotiable paper.

(h) Said banks may loan the same upon negotiable paper, or other evidences of indebtedness, secured by any of the above mentioned classes of security; or

Notes secured by mortgage on real estate.

(i) Upon notes or bonds secured by mortgage lien upon unencumbered real estate worth at least double the amount loaned; the remainder of such deposits may be invested in

Notes, etc., payment of, insured by collateral security.

notes, bills or other evidences of debt, the payment of which is secured by the deposit with the bank, of collateral security consisting of personal property or securities of known marketable value, worth ten per cent more than the amount so

Deposited in approved banks or trust companies.

loaned and interest for the time of the loan; or may be invested in notes, bills or other evidences of debt, the payment of which is secured by such property or securities deposited

in a collateral deposit company organized under the laws of this State; or may be deposited in any national bank, trust

Bank to maintain reserve.

company, or bank in cities in this or any other state, approved by the Commissioner of the Banking Department as reserve cities, and a portion of said remainder, not exceeding

the capital and additional stockholders' liability, may be invested in negotiable paper approved by the board of directors, but the deposits in any one bank shall not exceed ten per

cent of the total deposits, capital and surplus of the depositing bank. In case the actual reserve shall fall below the fifteen per cent above provided, the bank shall promptly and

Warrant proceedings in case of failure.

in good faith, take measures to restore and maintain its lawful reserve, in default of which the Commissioner of the

Banking Department shall require such restoration within thirty days after notice, and a failure to comply with such demand shall warrant proceedings to wind up the bank as

Amount of borrower's liabilities limited.

provided in section six of this act.

SEC. 52. The total liabilities to any bank of any person or of any company, corporation or firm for moneys advanced, including in the liabilities of the company or firm, the liabilities

of the several members thereof, except special partners, shall at no time exceed one-tenth part of the amount of the capital and surplus of such bank, but the discount of bills

of exchange drawn in good faith against actually existing values and the discount of commercial or business paper actually owned by the person negotiating the same shall not

Proviso when limitations not applicable to certain loans.

be considered as money borrowed: *Provided, however,* That the foregoing limitations shall not apply to loans on real estate or other collateral securities authorized by this act, and deposited with the bank, or a safety and collateral de-

Proviso as to increase of liabilities.

posit company organized under the laws of this State: *Provided, however,* That by a two-thirds vote of directors, the liabilities to any bank of any person or company or corporation or firm may be increased to a sum not exceeding one-

Proviso as to loans to bank's officers etc.

fifth of the capital and surplus of the bank: *Provided further.* That before any bank, under the supervision of the laws of this State, shall loan any of its funds to its officers or its

employees, such loans shall be first submitted to the directors of such bank for their approval. Not more than one-fourth of the assets of any bank shall be loaned or invested in steam railroad bonds and not more than one-tenth of the assets of any bank shall be invested in the bonds of any one railroad corporation described in paragraph c or d of section twenty-seven, and not more than one-twentieth of such assets in the bonds of any company or corporation described in paragraphs e, f or g of said section, and not more than one-tenth of the assets of any bank shall be loaned to any one person, corporation or firm on the collateral pledges described in paragraph h of same section.

Loans,
amount of
limited.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 323.]

AN ACT to amend section one of chapter six, as amended by act number two hundred fifty-four of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other acts relative thereto," approved June two, eighteen hundred ninety-seven, the same being compiler's section number four thousand three hundred fifty-four of the Compiled Laws of eighteen hundred ninety-seven, as amended by act two hundred seventy-two of the public acts of eighteen hundred ninety-nine.

The People of the State of Michigan enact:

SECTION 1. Section one of chapter six, as amended by act number two hundred fifty-four of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other acts relative thereto," approved June two, eighteen hundred ninety-seven, the same being compiler's section number four thousand three hundred fifty-four of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Section
amended.

SEC. 1. Within ten days after the letting of contracts, and in case of an appeal, then forthwith after such appeal shall have been decided, the county drain commissioner shall make a computation of the entire cost of such drain, which shall include all the expense of locating, establishing and constructing the same, including the commissioner's fees, cost of survey, fees and expenses of special commissioners, or jury, and amount of contracts for construction, also the cost of appeal in case the assessment of benefits made by

Computation
of cost of
drain, what
to include.

shall have been approved by the securities commission hereinafter provided for;

Secured negotiable paper.

(h) Said banks may loan the same upon negotiable paper, or other evidences of indebtedness, secured by any of the above mentioned classes of security; or

Notes secured by mortgage on real estate.

(i) Upon notes or bonds secured by mortgage lien upon unencumbered real estate worth at least double the amount loaned; the remainder of such deposits may be invested in

Notes, etc., payment of, insured by collateral security.

notes, bills or other evidences of debt, the payment of which is secured by the deposit with the bank, of collateral security consisting of personal property or securities of known marketable value, worth ten per cent more than the amount so

Deposited in approved banks or trust companies.

loaned and interest for the time of the loan; or may be invested in notes, bills or other evidences of debt, the payment of which is secured by such property or securities deposited

in a collateral deposit company organized under the laws of this State; or may be deposited in any national bank, trust

company, or bank in cities in this or any other state, approved by the Commissioner of the Banking Department as

Bank to maintain reserve.

reserve cities, and a portion of said remainder, not exceeding the capital and additional stockholders' liability, may be

invested in negotiable paper approved by the board of directors, but the deposits in any one bank shall not exceed ten per

cent of the total deposits, capital and surplus of the depositing bank. In case the actual reserve shall fall below the

fifteen per cent above provided, the bank shall promptly and in good faith, take measures to restore and maintain its

lawful reserve, in default of which the Commissioner of the Banking Department shall require such restoration within

thirty days after notice, and a failure to comply with such demand shall warrant proceedings to wind up the bank as

provided in section six of this act.

Warrant proceedings in case of failure.

Amount of borrower's liabilities limited.

SEC. 52. The total liabilities to any bank of any person or of any company, corporation or firm for moneys advanced,

including in the liabilities of the company or firm, the liabilities of the several members thereof, except special partners,

shall at no time exceed one-tenth part of the amount of the capital and surplus of such bank, but the discount of bills

of exchange drawn in good faith against actually existing values and the discount of commercial or business paper

actually owned by the person negotiating the same shall not be considered as money borrowed: *Provided, however,* That

Proviso when limitations not applicable to certain loans.

the foregoing limitations shall not apply to loans on real estate or other collateral securities authorized by this act,

and deposited with the bank, or a safety and collateral deposit company organized under the laws of this State: *Provided, however,* That by a two-thirds vote of directors, the

Proviso as to increase of liabilities.

liabilities to any bank of any person or company or corporation or firm may be increased to a sum not exceeding one-

Proviso as to loans to bank's officers etc.

fifth of the capital and surplus of the bank: *Provided further,* That before any bank, under the supervision of the laws of

this State, shall loan any of its funds to its officers or its

employees, such loans shall be first submitted to the directors of such bank for their approval. Not more than one-fourth of the assets of any bank shall be loaned or invested in steam railroad bonds and not more than one-tenth of the assets of any bank shall be invested in the bonds of any one railroad corporation described in paragraph c or d of section twenty-seven, and not more than one-twentieth of such assets in the bonds of any company or corporation described in paragraphs e, f or g of said section, and not more than one-tenth of the assets of any bank shall be loaned to any one person, corporation or firm on the collateral pledges described in paragraph h of same section.

Loans,
amount of
limited.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 323.]

AN ACT to amend section one of chapter six, as amended by act number two hundred fifty-four of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other acts relative thereto," approved June two, eighteen hundred ninety-seven, the same being compiler's section number four thousand three hundred fifty-four of the Compiled Laws of eighteen hundred ninety-seven, as amended by act two hundred seventy-two of the public acts of eighteen hundred ninety-nine.

The People of the State of Michigan enact:

SECTION 1. Section one of chapter six, as amended by act number two hundred fifty-four of the public acts of eighteen hundred ninety-seven, entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other acts relative thereto," approved June two, eighteen hundred ninety-seven, the same being compiler's section number four thousand three hundred fifty-four of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

Section
amended.

SEC. 1. Within ten days after the letting of contracts, and in case of an appeal, then forthwith after such appeal shall have been decided, the county drain commissioner shall make a computation of the entire cost of such drain, which shall include all the expense of locating, establishing and constructing the same, including the commissioner's fees, cost of survey, fees and expenses of special commissioners, or jury, and amount of contracts for construction, also the cost of appeal in case the assessment of benefits made by

Computation
of cost of
drain, what
to include.

Five per cent
added.

When more
than one
township
affected.

Proviso,
special drain
laws.

the county drain commissioner shall not be sustained, and all other expenses, and he shall add the whole into a gross sum, and add thereto five per centum of said gross sum to cover contingent expenses, and the entire sum so ascertained shall be deemed to be the cost of construction of such drain. In case the drain and the assessment therefor shall affect more than one township or one or more townships and an incorporated city or village, the county drain commissioner shall apportion such sum between the several townships, or townships, city, village or county so affected upon the basis and per cent determined upon by him as provided in section one of chapter five; or in case of an appeal, then as provided in section four of chapter five: *Provided*, This act shall not apply to counties having special drain laws.

Approved June 28, 1907.

[No. 324.]

AN ACT to amend section eight of chapter eighty-four of the revised statutes of eighteen hundred forty-six, entitled "Of divorce," as amended by act number one hundred thirty-five of the public acts of nineteen hundred five, being section eight thousand six hundred twenty-three of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section eight of chapter eighty-four of the revised statutes of eighteen hundred forty-six, entitled "Of divorce," as amended by act one hundred thirty-five of the public acts of nineteen hundred five, being section eight thousand six hundred twenty-three of the Compiled Laws of eighteen hundred ninety-seven, is hereby amended to read as follows:

When divorce
may be de-
creed for
certain
causes.

When decree
not to be
entered.

SEC. 8. A divorce from the bonds of matrimony may be decreed for either of the causes mentioned in the preceding section whenever, in the opinion of the court, the circumstances of the case shall be such that it will be discreet and proper so to do; but no divorce from the bonds of matrimony for either of the causes mentioned in the preceding section shall be entered in any case where the same is not asked for by the complainant in the bill of complaint filed therein, or by the defendant on a cross-bill unless the court hearing the evidence shall deem it for the best interests of the parties to grant a divorce from the bonds of matrimony and in that event the court may grant such divorce.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 325.]

AN ACT to regulate the treatment and control of dependent, neglected and delinquent children; to provide for juvenile courts, vesting in the several probate courts for that purpose the jurisdiction of dependent, neglected and delinquent children, except such as are admissible to the State Public School under the laws for the government, management and control of said school; to regulate the practice and procedure in such courts; to provide for the appointment of county agents and probation officers, and to prescribe their powers, duties and compensation, and to repeal all acts or parts of acts inconsistent with the provisions of this act.

The People of the State of Michigan enact:

SECTION 1. This act shall apply only to minors. For the purpose of this act the words "dependent child" and "neglected child" shall mean any child who for any reason is destitute or homeless or abandoned or dependent upon the public for support or who has not proper parental care or guardianship or who habitually begs or receives alms or who is found living in any house of ill-fame or with any vicious or disreputable person or whose home by reason of neglect, cruelty or depravity, on the part of its parents, guardian, or other person in whose care it may be, is an unfit place for such child; any child under the age of twelve years who is found begging, peddling or singing or playing any musical instrument as a business or who accompanies or is used in the aid of any person so doing. The words "delinquent child" shall include any boy or girl under seventeen years of age, who violates any law of this State or any city or village ordinance, or who is incorrigible or who knowingly associates with thieves, vicious or immoral persons, or who is growing up in idleness or crime, or who knowingly visits or enters a house of ill-repute, or who knowingly patronizes or frequents any policy shop or place where any gaming device is or shall be operated; or who patronizes or frequents any saloon or place where intoxicating liquors are sold, or who frequents or patronizes any public poolroom or bucket shop, or who wanders about the streets in the night time without being on any lawful business or occupation, or who habitually wanders about any railroad yard or tracks, or jumps or hooks on to any moving train, or enters any car or engine without lawful authority, or who habitually uses vile, obscene, vulgar, profane, or indecent language or is guilty of immoral conduct in any public place or about any school house; every child who is vicious, incorrigible or immoral in conduct while attending school, or who is an habitual truant from school or who habitually wanders about the

Juvenile delinquent person defined.

Delinquent
child, dispo-
sition of.

Juvenile
courts, juris-
diction of.

Proviso as to
certain
cities.

Proviso as to
circuit judge
exercising
powers of
probate judge.

Time limited.

Jury of six,
how em-
panelled.

Not deemed
criminal pro-
ceedings.

Felony tried
by criminal
procedure.

Trials, etc.,
where held.

"Juvenile
Court Rec-
ord."

Exclusion of
certain per-
sons from
court room.
Detention
place, pro-
vision, etc.,
for.

streets and public places during school hours without any lawful occupation or employment. Any child committing any of the acts herein mentioned shall be deemed a juvenile delinquent person and shall be proceeded against as such in the manner hereinafter provided. A disposition of any child under this act, or any evidence given in such cause, shall not, in any civil, criminal, or other cause or proceeding whatever in any court, be lawful or proper evidence against such child for any purpose whatever excepting in subsequent cases against the same child under this act.

SEC. 2. The probate court shall have original jurisdiction in all cases coming within the terms of this act, and while proceeding under this act shall be termed Juvenile Courts: *Provided*, That in cities of twenty thousand inhabitants or more a municipal juvenile court may be established, and when so established in any city as to such city, the probate courts shall not exercise jurisdiction under this act as to children resident therein: *Provided, further*, That in case the judge of probate in any county is so occupied with the duty devolving upon him in the probate court as not to have time to attend to the cases arising under this act and shall so certify to the circuit court, the circuit judge or one of them in districts where there is more than one circuit judge, to be designated by the judges of said court, shall hear the cases under this act provided to be heard by the judge of probate, but said circuit judge shall not exercise the powers of the probate court in such cases for a longer period than two months, unless a new certificate and designation be made, which shall, in like manner be effective for a like period. In all trials under this act any person interested therein may demand a jury of six or the judge of his own motion may order a jury of the same number to try the case, and the jury so ordered shall be summoned and empanelled in accordance with the law relating to juries in courts held by justices of the peace. Proceedings under this act shall not be deemed to be criminal proceedings and this act shall not prevent the trial by criminal procedure in the proper courts of children under fourteen years of age charged with the commission of a felony.

SEC. 3. All examinations or trials of cases coming under the provisions of this act shall be held in the probate court room or chambers, or in a room in the county court house or in a suitable apartment conveniently near the said court house. The proceedings and finding of the court in all the examinations and trials of such cases shall be entered in a book or books to be kept for that purpose and shall be known as the Juvenile Court Record. The judge may exclude from the court room in trials under this act any person whose presence is deemed prejudicial [prejudicial] to the interests of the child or the public, when such person does not have a recognized personal interest in the case. It shall be the duty of the board of supervisors in each county within ninety

days after this act shall take effect, to provide and maintain at public expense, a detention room or house of detention or other suitable place, separate from the jail, lock-up, police station or other place of confinement used for the incarceration of adult criminals or adults charged with crimes or misdemeanors: *Provided*, That in counties wherein a municipal juvenile court is or may be established, the board of supervisors may make such terms and agreements as they may deem best for the care of the township or county juveniles in the city detention home. Such detention place shall be properly located both for the convenience of the juvenile court work, and with a view to the healthful physical and moral environment of all children within the provisions of this act, who shall, when necessary, be detained in such place of detention so provided. Such place of detention shall be in charge of a matron or other person, capable and of good moral character. Any child held in said place of detention shall have the right to give bond or other security for its appearance at the trial of such case, and the court may, in any such case, appoint council [counsel] to appear and defend, on behalf of any such child, who shall be paid out of the general fund of the county or city for such services, such sum as the court shall direct: *Provided*, That the prosecuting attorney shall appear for the people when ordered by the court.

Sec. 4. The Governor shall appoint, in each county of this State, an agent of the State Board of Corrections and Charities, for the care and protection of ill-treated, dependent and delinquent children, who shall hold his office during the pleasure of the Governor, and shall be known as the county agent for the county for which he is appointed. Before entering upon the duties of his office, and within thirty days after receiving notice of his appointment, the said agent shall take and file with the clerk of the county for which he was appointed, the oath of office prescribed by the constitution of this State, and upon such qualification, it shall be the duty of the county clerk to immediately transmit notice thereof to the judge of the Juvenile Court, and to the superintendents of all State and incorporated institutions authorized to receive, or place out on contract, indenture or adoption, any child. The said agent shall receive as compensation for his services under this act, his necessary official expenses, together with the sum of three dollars in full for each day ordered by the court, the superintendent of any State institution, or the State Board of Corrections and Charities, but not exceeding three dollars for any one day's service which shall be audited by the Board of State Auditors, and paid from the general fund; and when such services and expenses relate to the indenture, adoption or visiting of children placed in families by State institutions, the amounts thereof shall be certified by the superintendent of the institution to which the child may belong; and when such service shall be ordered by the court the amount thereof shall be

Proviso as to
certain
counties.

Location of
detention
place.

In whose
charge.

Child to
give bond.

Counsel, by
whom ap-
pointed, how
paid.

Proviso as to
prosecuting
attorney.

County
agent, ap-
pointment of.

Notice of
filing oath,
etc.

Compensation,
how paid.

Services, etc.,
of, by whom
certified.

Duties of

certified by the court ordering such service; such bill shall specify the time spent, manner of travel, miles traveled and each item of expense incurred. Said agent shall visit all children resident in the county for which he is appointed which shall have been indentured to any person therein by any State institution whenever he shall be so requested to do by the superintendent of the institution or the State Board of Corrections and Charities, and shall inquire into the management, condition and treatment of such children, and for that purpose may have private interviews with such children at any time, and if it shall come to the knowledge of such agent when making such visits, or at any other time, that any child thus placed in charge of any person as aforesaid is neglected, abused, or improperly treated by the persons having such child in charge, or if such person is unfit to have the care thereof, he shall report the fact to the superintendent of the State institution by which the child was indentured, and the board of such institution, or the superintendent thereof, who may be so authorized to do by said board, on being satisfied that the interests of the child require it shall cancel the indenture by which the child was placed in the family and shall remove the child to some other family home or directly to the State institution from which the child was indentured. All indentures by which any child shall be placed in a home from any State institution shall reserve the right in the board making the indenture, to cancel the same whenever in the opinion of the board the interests of the child require it. Whenever any indenture is canceled as herein provided, or whenever any child indentured from any State institution has been adopted, notice thereof shall be given to said agent of the county where the child was indentured, by the superintendent of the State institution from which the child was indentured or adopted.

Right to
cancel in-
denture.

Notice of.

Petition as to
delinquent
children.

Notice of, to
cause inves-
tigation.

Investigation
to be re-
ported.

SEC. 5. Upon the filing with any Juvenile Court of a sworn petition by any reputable resident of the county within the jurisdiction of said court, setting forth upon knowledge, or upon information and belief, the facts showing that any child resident in said county, is a delinquent, dependent or neglected child within the meaning of section one of this act, it shall be the duty of such court, before any further proceeding is had in the case, to give notice thereof to said county agent, or to a duly appointed probation officer, who shall have opportunity allowed him to investigate the facts and circumstances surrounding the case, and upon receiving such notice, the county agent or probation officer shall immediately proceed to inquire into and make a full examination of the parentage and surroundings of the child and all the facts and circumstances of the case, and report the same to the said court, who shall advise and counsel with the county agent, or probation officer; and if, upon such consultation, and after full investigation, it shall appear to the court that the public interest and the interest

of the child will be best subserved thereby, a summons shall issue, reciting the substance of the petition and requiring the person or persons having custody or control of the child or with whom the child may be, to appear with the child at a place and time which shall be stated in the summons; and if such person is other than the parent or guardian of such child, then said parent or guardian shall be notified of the pendency of the case. When said parents or guardians are non-residents or cannot be found, such notice shall not be required. If persons so summoned as herein provided shall fail without reasonable cause to appear with the child and abide the order of the court, he may be proceeded against for contempt of court under and in accordance with the provisions of chapters thirty-eight and three hundred one of the Compiled Laws of eighteen hundred ninety-seven. In case the summons cannot be served, or parties fail to obey the summons and in any case when it shall appear to the court that such summons will be ineffectual, upon complaint on oath and writing, a writ may issue reciting the substance of the complaint and requiring the officer to whom it is directed to bring such child before the court to be dealt with according to law and said child may be committed to the care of the county agent or probation officer, or such other person as the court may designate, pending the final disposition of the case. On the return of the summons or writ, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case upon such testimony as may be produced, and if the allegations against the child are proved the court may adjudge said child a delinquent, dependent or neglected child as the case may be, and if it shall appear to the court that the public interests and the interests of such child will be best subserved thereby, he may make an order for the return of such child to his or her parents or guardians or friends; or upon a finding of delinquency may impose a fine not to exceed the sum of twenty-five dollars, with costs, or if the offence be malicious trespass the court may as a condition of probation require the damage to be made good, or if the offence be larceny and the stolen property be not restored, the court as a condition of probation may require it to be paid for by the child, if it be shown that he is capable of earning the money, or has money of his own, or the court may place the child under probation as hereinafter provided, and in all cases the court may decree the child found delinquent, dependent or neglected to be the ward of the court as far as its person is concerned, and in such cases where any child has been decreed to be a ward of the court, the authority of the court over its person shall continue until the court shall otherwise decree. The court may, in its discretion, appoint one or more discreet persons of good character, other than the county agent, to act as probation officers who, under the order of the court, shall exercise in all cases assigned them the same authority, direction and

Summons,
when and to
whom issued.

Contempt of
court of
party sum-
moned.

When writ
may issue.

Proceedings
in case.

Fine, etc.

Child to be
ward of
court.

Probation
officers, ap-
pointment of.

To report.	control of said child as is exercised by the county agent in like circumstances. Said probation officers shall report to the court upon all cases under their care, and also to the State Board of Corrections and Charities: <i>Provided</i> , That
Proviso as to compensation.	the probation officers so appointed shall receive no compensation from the public treasury for the duties performed under such appointment. The child found delinquent may be placed on probation for such time and upon such condition as the court may determine and such child so released on probation may be furnished with a written statement of the terms and condition of release. At any time during the probationary term of a child released on probation as aforesaid, the court may, in its discretion, revoke or terminate such probation. If the child be found to be wilfully wayward and unmanageable, and in any case upon the adjudication of delinquency, if in the judgment of the court the welfare of the child and the interests of the public require, the court may cause him or her to be sent to the Industrial School for Boys at Lansing, or the Industrial Home for Girls at Adrian, or to any State institution authorized by law to receive such boy or girl subject to such conditions of sex, age and character of offence for which committed and duration of commitment, as provided by law for the reception of children in said school, home or institution, and in such case the report of the county agent or probation officer shall be attached to the mittimus and the child shall be placed in charge of the county agent or some person designated by the court, to be conveyed to the institution, for which service the same compensation shall be allowed as are paid sheriffs in like cases: <i>Provided</i> , That when a girl is to be conveyed to any institution a suitable woman shall be such officer so conveying such girl.
Probationary term.	
Court may revoke.	
When children may be sent to certain institutions.	
Proviso, when accompanied by woman.	
Proceedings when child arrested without warrant.	SEC. 6. Whenever any child under the age of seventeen years is arrested, with or without a warrant, such child shall be taken immediately before the judge of the juvenile court, and the officer making the arrest shall immediately make and file a petition against such child as hereinbefore provided; and the said court shall proceed to hear and determine the matter in like manner as hereinbefore provided. If, during the pendency of any criminal case against any child in any police or justice court of this State, it shall be ascertained that said child is under the age of seventeen years, it shall be the duty of the police magistrate or justice of the peace before whom such case is pending, to immediately transfer such case, together with all papers connected therewith to the juvenile court, except in cases where the child is over fourteen years of age and is charged with a felony. Upon such transfer the juvenile court may proceed to hear and dispose of the case in the same manner as if said child had been brought before the court upon petition, as hereinbefore provided, and the court shall require an investigation to be made as in other cases under this act.
When transferred from police court.	
Proceedings of juvenile court upon transfer.	

SEC. 7. When any child under the age of seventeen years shall be found to be a dependent or neglected child within the meaning of this act, and not admissible to the State Public School under the laws for the government, management and control of said school, the court may make an order committing the child to the care of some suitable State institution subject to the law and regulations governing such institution, or to the care of some reputable citizen of good moral character, or in the care of some training school, or industrial school as such provided by law, to the care of some association willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for dependent or neglected children, which association shall have been approved by the State Board of Corrections and Charities: *Provided*, That if any such child is admissible to the State Public School under the laws of this State, the court shall make an order committing said child to said State Public School. The court shall, when the health or condition of the child shall require, cause the child to be placed in a public hospital or in an institution for treatment or special care, or in a private hospital or institution, for special care or treatment, the expense to be paid from the general fund of the county of which the child is a resident.

When not
admissible to
State Pub-
lic School.

Proviso, when
admissible to
State Public
School.

When and by
whom child
may be
placed in
hospital.

SEC. 8. No child under the age of twelve years shall be committed to any jail or police station, but may be committed to the care or custody of the county agent or other suitable person or duly appointed probation officer who shall keep such child in some suitable place provided by the city or county outside of the enclosure of any jail or police station. No child under seventeen years of age while under arrest, confinement, or conviction for any crime, shall be placed in any apartment or cell of any prison or place of confinement with any adult who shall be under arrest, confinement, or conviction of any crime, or be permitted to remain in any court room during the trial of adults, or be transported in any vehicle of transportation in company with adults charged with or convicted of crime: *Provided*, That this shall not be construed as repealing act number one hundred and ten of the public acts of nineteen hundred one.

Child under
12 not to be
committed to
jail.

Child under
17 not to be
confined with
adults.

Proviso.

SEC. 9. In any case in which the court shall find a child neglected, dependent or delinquent, it may in the same or subsequent proceedings, upon the parents of said child or either of them being duly summoned or voluntarily appearing, proceed to inquire into the ability of such parent or parents to support the child or contribute to his support, and if the court shall find such parent or parents able to support or contribute thereto, the court may enter such order or decree as shall be according to equity in the premises.

Ability of
parents to
support neg-
lected chil-
dren, pro-
ceedings.

SEC. 10. The judges of probate shall receive for their services under this act in addition to their regular salary the sum of one hundred dollars for each fifteen thousand inhabitants or fraction thereof in their respective counties,

Compensation
to judges of
probate.

Proviso as to
counties hav-
ing juvenile
courts.

When chil-
dren to be in
care of
county
agent, etc.

Expenses of,
how paid.

Approval
necessary be-
fore children
indentured,
etc.

Vacancy in
office of pro-
bate judge,
how filled.

Acts repealed.

Proviso as to
proceedings
pending.

which shall be paid from the same fund and in the same manner as their regular salaries are now paid: *Provided*, That in counties having cities in which municipal juvenile courts are established, the population of said cities shall be deducted in computing the amount of salary of the probate judge for said county.

SEC. 11. All children while under orders of the court shall be in the care and custody of the county agent or probation officer or such other person as the court may designate and all necessary expenses incurred for the proper care and maintenance of said children while in such custody shall be paid by the county treasurer on the order of the court.

SEC. 12. Children intended by this act shall not be indentured, apprenticed or otherwise disposed of, until the person applying for any such child shall have been approved in writing by the county agent of the county in which such person resides.

SEC. 13. In case of the absence or disability of the probate judge, the provisions of the general law as to filling such temporary vacancies shall apply in all proceedings under this act.

SEC. 14. All acts or parts of acts inconsistent herewith are hereby repealed: *Provided*, That this act shall not affect any proceeding or proceedings pending at the time this act takes effect.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 326.]

AN ACT to amend sections twenty-four, twenty-nine and thirty of act number two hundred six of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased; and to repeal act number two hundred of the public acts of eighteen hundred ninety-one, and all other acts and parts of acts in anywise contravening any of the provisions of this act," said sections being compiler's section number three thousand eight hundred forty-seven, as amended by act number two hundred sixty-two of the public acts of eighteen hundred ninety-nine, section three thousand eight hundred fifty-two and section three thousand eight hundred fifty-three of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Sections twenty-four, twenty-nine and thirty of act number two hundred six of the public acts of eighteen hundred ninety-three, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, and for the collection of taxes heretofore and hereafter levied; making such taxes a lien on the lands taxed, establishing and continuing such lien providing for the sale and conveyance of lands delinquent for taxes, and for the inspection and disposition of lands bid off to the State and not redeemed or purchased, and to repeal act number two hundred of the public acts of eighteen hundred ninety-one, and all other acts and parts of acts in anywise contravening any of the provisions of this act," said sections being compiler's section number three thousand eight hundred forty-seven, as amended by act number two hundred sixty-two of the public acts of eighteen hundred ninety-nine, section three thousand eight hundred fifty-two and section three thousand eight hundred fifty-three of the Compiled Laws of eighteen hundred ninety-seven, are amended to read as follows:

SEC. 24. On or before the first Monday in June in each year, the supervisor or assessor shall make and complete an assessment roll, upon which he shall set down the name of every person liable to be taxed in his township or assessment district, with a full description of all the real property therein liable to be taxed. If the name of the owner or occupant of any such tract or parcel of real property is

Sections
amended.

Assessment
roll, how, by
whom made,
etc.

known, he shall enter the name of such owner or occupant as in this act provided, opposite to the description thereof; in all other cases the real property described upon such roll shall be assessed as "owner unknown." All contiguous subdivisions of any section that are of equal value and are owned and occupied by one person, firm or corporation, and all unimproved lots in any block that are of equal value and are contiguous and owned and occupied by one person, firm or corporation shall be assessed as one parcel, unless demand in writing is made by the owner or occupant to have each subdivision of the section or each lot assessed separately; but failure to assess such contiguous parcels as entireties as herein provided shall not invalidate the assessment as made. Each description shall show as near as may be the number of acres contained in it, as determined by the supervisor. It shall not be necessary for the assessment roll to specify the quantity of land comprised in any town, city or village lot. The supervisor shall estimate, according to his best information and judgment, the true cash value of every parcel of real property and set the same down opposite such parcel. He shall also estimate the true cash value of all the personal property of each person, and set the same down opposite the name of such person. In determining the property to be assessed and in estimating such value, he shall not be bound to follow the statements of any person, but shall exercise his best judgment. Property assessed to one other than the owner shall be assessed separately from his property and shall show in what capacity it is assessed to him, whether as agent, guardian or otherwise. Two or more persons not being co-partners, owning personal property in common, may each be assessed severally for his portion thereof. Undivided interests in lands owned by tenants in common, or joint tenants not being co-partners, may be assessed to the owners thereof.

To estimate
cash value.

Property
assessed to
agent, etc.

Board of
review,
meeting of,
proceedings,
etc.

SEC. 29. On the Tuesday next following the first Monday in June, the board of review of each township shall meet at the office of the supervisor, at which time the supervisor shall submit to said board the assessment roll for the current year, as prepared by him, and the said board shall proceed to examine and review the same, and during that day, and the day following, if necessary, said board, of its own motion, or on sufficient cause being shown by any person, shall add to said roll the names of persons, the value of personal property, and the description and value of real property liable to assessment in said township, omitted from such assessment roll; they shall correct all errors in the names of persons, in the descriptions of property upon such roll, and in the assessment and valuation of property thereon, and they shall cause to be done whatever else may be necessary to make said roll comply with the provisions of this act. The board shall pass upon each valuation and each interest, and shall enter the valuation of each, as fixed by

it, in a separate column. The roll as prepared by the supervisor shall stand as approved and adopted as the act of the board of review, except as changed by a vote as herein provided. If for any cause a quorum does not assemble during the days above mentioned, the roll as prepared by the supervisor shall stand as if approved by the board of review.

When roll to stand as approved.

SEC. 30. Said board of review shall also meet at the office of the supervisor on the second Monday in June at nine o'clock in the forenoon, and continue in session during the day and the day following. Such board shall continue its sessions at least six hours each day, and at the request of any person whose property is assessed thereon or of his agent, and on sufficient cause being shown, shall correct the assessment as to such property, in such manner as in their judgment will make the valuation thereof relatively just and equal. To that end said board may examine on oath the person making such application, or any other person, touching the matter. Any member of said board may administer such oath. After said board shall complete the review of said roll, a majority of said board shall endorse thereon and sign a statement to the effect that the same is the assessment roll of said township for the year in which it has been prepared and approved by the board of review. Said statement may be in the following form, viz.:

Second meeting.

Examinations on oath.

Endorsement of roll.

Form.

"Assessment roll of the township of.....for the year 19...., as approved by the board of review.

"Dated.....

.....
.....
.....

"Board of Review."

Approved June 28, 1907.

[No. 327.]

AN ACT to provide for the laying out of temporary highways.

The People of the State of Michigan enact:

SECTION 1. Whenever any resident owner of any timbered land, not less than forty acres, shall wish to have a temporary highway laid out he may, in writing, make application to the commissioner of highways of the proper township for that purpose, who shall proceed to lay out such temporary highway, in all respects as provided by law in relation to laying out public highways, except as hereinafter provided.

Resident owner may apply for.

SEC. 2. When any such application shall be made the commissioner of highways of the township in which such road

Viewing and determination.

is to be located shall immediately certify the same to the township board of said township and the highway commissioner, and such township board shall at once proceed to view the premises described, and if the said highway commissioner and the township board shall determine that said highway is necessary for the purpose of removing the timber from such lands they shall certify the same under their hands and at the same time shall fix and determine the length of time that such highway shall be necessary and shall state such time in the record, and at the expiration of such time said highway shall cease: *Provided*, That no logging railroad shall be laid out or established in, upon or along any such temporary highways.

Proviso,
logging
railroad.

Consent to
occupy cer-
tain road.

When route
designated by
certain
owner.

To be private
highway.

Damage, etc.
how paid

When used;
facts con-
sidered.

Act
repealed.

SEC. 3. No such highway shall be laid out along and upon and so as to occupy any road made or caused to be made by the owner of any land or by any person with the consent of such owner and used by the person or persons who made the same unless such owner shall consent thereto in writing. If the owner of the land across which any such highway is desired shall appear before the commissioner at the time and place of hearing and shall designate a route for such highway which shall be, in the opinion of such commissioner, reasonably direct and practicable for the purpose desired by such applicant, it shall be the duty of the commissioner, in case he and the township board determine such highway to be necessary, to lay the same out upon the route designated by such owner. Such temporary highways shall be private highways and all the expenses of their laying out, which expenses shall include the compensation due the township board and highway commissioner for such services and all damages that may be awarded on account of the taking of lands therefor, shall be paid to the commissioner by the persons applying for the same and upon such payment they may enter upon, open and work such highways at their own and sole expense, but no trees shall be cut therein except as shall be necessary to make a track or tracks.

SEC. 4. In case such highway is only to be used in the winter time such facts shall be set up in the application and also in the finding of the commissioner and township board and this shall be taken into consideration in awarding damages to the owners of the land crossed.

SEC. 5. Act number sixty-five of the public acts of eighteen hundred ninety-nine is hereby repealed.

Approved June 28, 1907.

[No. 328.]

AN ACT to amend section twenty-one of act number one hundred eighty-eight of the public acts of eighteen hundred ninety-nine, as amended entitled "An act to provide for the taxation of inheritances, transfers of property by will, transfer of property by the intestate laws of this State or transfers of property by deed, grant, bargain, sale or gift made in contemplation of the death of the grantor, vendor, or donor or intended to take effect in possession or enjoyment at or after such death."

The People of the State of Michigan enact:

SECTION 1. Section twenty-one of act number one hundred eighty-eight of the public acts of eighteen hundred ninety-nine, as amended entitled "An act to provide for the taxation of inheritances, transfers of property by will, transfer of property by the intestate laws of this State or transfers of property by deed, grant, bargain, sale or gift made in contemplation of the death of the grantor, vendor or donor, or intended to take effect in possession or enjoyment at or after such death," is hereby amended to read as follows: Section amended.

SEC. 21. The word "estate" and "property" as used in this act shall be taken to mean the property or interest therein of the testator, intestate, grantor, bargainor, or vendor, passing or transferred to those not herein specifically exempted from the provisions of this act, and not as the property or interest therein passing or transferred to the individual legatees, devisees, heirs, next of kin, grantees, donees, or vendees, and shall include all property or interest therein whether situated within or without this State and including all property represented or evidenced by note, certificate, stock, land, contract, mortgage or other kind or character of evidence thereof, and regardless of whether any such evidence of property is owned, kept or possessed within or without this State. The word "transfer" as used in this act shall be taken to include the passing of property or any interest therein in possession or enjoyment, present or future, by inheritance, descent, device [devise], bequest, grant, deed, bargain, sale or gift in the manner herein prescribed. The words "county treasurer," "prosecuting attorney," as used in this act, shall be taken to mean the county treasurer or prosecuting attorney of the county having jurisdiction in section ten of this act. Certain words defined.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 329.]

AN ACT to amend sections one and two of act two hundred five of the public acts of eighteen hundred ninety-seven, entitled "An act to prefer ex-soldiers for public employment," being sections one thousand six hundred ninety and one thousand six hundred ninety-one of the Compiled Laws of eighteen hundred ninety-seven, as amended by act eighty-five of the public acts of eighteen hundred ninety-nine, and to add two new sections thereto.

The People of the State of Michigan enact:

Sections
amended
and added.

SECTION 1. Two new sections are hereby added thereto and sections one and two of act two hundred five of the public acts of eighteen hundred ninety-seven, entitled "An act to prefer ex-soldiers for public employment," being sections one thousand six hundred ninety and one thousand six hundred ninety-one of the Compiled Laws of eighteen hundred ninety-seven, as amended by act eighty-five of the public acts of eighteen hundred ninety-nine, are hereby amended to read as follows:

Ex-soldiers,
etc., prefer-
ence given in
public
employment.

Proviso,
character,
residence, etc.

Removal or
transferral
hearing.

Order.

Misdemeanor.

SEC. 1. In every public department, and all public departments in all municipal corporations, and upon the public works of the State of Michigan, honorably discharged Union soldiers, sailors and marines of the late Rebellion, and the soldiers, sailors and marines of the late Spanish-American war shall be preferred for appointment and employment; age, loss of limb or other physical impairment which does not, in fact, incapacitate, shall not be deemed to disqualify them: *Provided, however,* That the applicant shall be of good moral character and shall have been a resident of the State for at least two years and of the county in which the office or position is located for at least one year, and possesses other requisite qualifications.

SEC. 2. No veteran or other soldier^s, sailor or marine as indicated in the preceding section holding an office or employment in any public department or public works of the State, or of any city, town or village of the State shall be removed or suspended or shall, without his consent be transferred from such office or employment except after a full hearing before the Governor of the State, the mayor of such city or before the common council of such town or village, and at such hearing the veteran shall have the right to be present and to be represented by counsel. Such removal, suspension or transfer shall be made only upon a written order of the Governor, mayor, or the common council.

SEC. 3. A violation of any of the provisions of this act, by a person having the power of appointment to a position, under him, in either of the departments mentioned in section one, shall be deemed a misdemeanor and upon conviction

thereof in any court of competent jurisdiction shall be punished by a fine of not less than fifty dollars, and not more than one hundred dollars, or by imprisonment in the county jail not to exceed ninety days or by both such fine and imprisonment in the discretion of the court. Penalty.

SEC. 4. In case the application of any such soldier, sailor or marine, shall be rejected by the person having the power of appointment to the position for which he has applied, he shall be entitled to remedy therefor by mandamus to enforce the provisions of this act. Rejection of application: remedy.

Approved June 28, 1907.

[No. 330.]

AN ACT to amend section seven of act twenty-eight of the public acts of eighteen hundred eighty-seven, entitled "An act to provide for the appointment of a game and fish warden and to prescribe his powers and duties," being section five thousand seven hundred ninety-seven (a) of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section seven of act twenty-eight of the public acts of eighteen hundred eighty-seven, entitled "An act to provide for the appointment of a game and fish warden and to prescribe his powers and duties," being section five thousand seven hundred ninety-seven (a) of the Compiled Laws of eighteen hundred ninety-seven is hereby amended to read as follows: Section amended.

SEC. 7. The said game and fish warden shall have power to appoint deputy game and fish wardens, who shall have the same power and authority herein provided for the game and fish warden himself, subject to the supervision and control of and to removal by the game and fish warden. One of said deputy game and fish wardens shall receive an annual salary of twelve hundred dollars and his actual expenses necessarily incurred while traveling upon official business; and all other State deputy game and fish wardens shall receive three dollars per day for each day actually spent in the discharge of their duties, under the direction of the game and fish warden, and their actual expenses necessarily incurred when so employed; said salary and expenses, and three dollars per day and expenses to be paid monthly on the warrant of the Auditor General, on the approval of itemized vouchers thereof, verified under oath and certified by the game and fish warden; but the total amount for salary, com- Appoint deputy wardens. One deputy to receive salary, etc. Per diem for other deputies. How paid. Limit.

(a) Should be section 5759.

County
wardens.Employment
and compen-
sation of.Wayne and
Saginaw
counties.
Penalty for
interference,
etc.

Proviso.

compensation and expenses of deputy wardens in any one year shall not exceed the sum provided by law. Said game and fish warden shall appoint in each county not to exceed three residents thereof as county game and fish wardens, who shall have the same powers in their respective counties as is herein provided for the game and fish warden himself, subject to the supervision and control of and to removal by the game and fish warden. The said game and fish wardens may be employed by individuals, clubs and corporations interested in the enforcement of the fish and game laws, and shall receive such other compensation as may be allowed and provided for by the supervisors of their respective counties, except in the counties of Wayne and Saginaw as fixed by the county salary act for Saginaw county. Any person who hinders, obstructs or interferes with or attempts to hinder, obstruct or interfere with the said game and fish warden, or any deputy or county warden in the discharge of any of his duties, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined not less than ten dollars nor more than fifty dollars, together with costs of suit; and in default of payment thereof shall be confined in the county jail until said fine and costs are paid: *Provided*, That said imprisonment shall not exceed thirty days.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 331.]

AN ACT to amend section six of act number forty-eight of the public acts of nineteen hundred one, entitled "An act to provide for a tax upon dogs and to create a fund for the payment of certain damages for sheep killed or wounded by them in certain cases," as amended by house enrolled act one hundred twenty-seven of the present session.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section six of act number forty-eight of the public acts of nineteen hundred one, entitled "An act to provide for a tax upon dogs and to create a fund for the payment of certain damages for sheep killed or wounded by them in certain cases," as amended by house enrolled act one hundred twenty-seven of the present session, is hereby amended to read as follows:

Damage
certificates,
examination
of, etc.

SEC. 6. At the annual meeting of the township board in each year, and at a meeting of the common council of each city in April of each year, the said board or council, as the case may be, shall examine all certificates of damage filed

by the clerk as aforesaid, during the preceding year, and if satisfied that in any case or cases, the certified damages are excessive, they may reduce the same to such amount as they may deem just, and may order the payment of all such loss as they may consider just out of the fund aforesaid, if it be sufficient for that purpose, and if not sufficient, they may order a proportionate payment of each claim. If the money in the fund aforesaid shall not be sufficient to pay all claims in full the balances on said claims remaining unpaid shall stand as claims against the aforesaid fund at the succeeding annual meetings of said board, or said council, as the case may be, until said claims are paid in full, and the claims filed each year shall take priority over claims of succeeding years until they have been paid in full, those claims of each year being paid in full or by a proportionate payment, as the state of said fund will permit. If money remains of such fund after satisfactory payment of all claims aforesaid in any one year, over and above the sum of one hundred dollars, it shall be apportioned among the several school districts of such township or city in proportion to the number of children therein of school age, unless the township board or the city council shall determine to retain an amount of such money so remaining not to exceed three hundred dollars, in which case only the amount over and above the sum so determined shall be so apportioned: *Provided*, That no payment of loss shall be made as provided for in this section, unless the party applying for the same shall make it appear to the satisfaction of the township board or common council that he has made all due efforts and has not been able to obtain satisfaction therefor from the owner or owners of the dog or dogs which shall have done the damage, or shall make it appear that he is unable to ascertain who are the owners or who is the owner of said dog or dogs.

Proportionate
payment of
claims.

Apportion-
ment of ex-
cess money.

Amount may
retain.

Proviso.

Approved June 28, 1907.

[No. 332.]

AN ACT to amend section ten of chapter two hundred fifty-eight of the Compiled Laws of eighteen hundred ninety-seven, entitled "Fraudulent conveyances and contracts relating to personal property," being section nine thousand five hundred twenty-three of the Compiled Laws of eighteen hundred ninety-seven, as amended by act two hundred fifty-eight of the public acts of nineteen hundred five, entitled "An act to amend section ten of chapter two hundred fifty-eight of the Compiled Laws of eighteen hundred ninety-seven, entitled 'Fraudulent conveyances and contracts relating to personal property,' being compiler's section nine thousand five hundred twenty-three."

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section ten of chapter two hundred fifty-eight of the Compiled Laws of eighteen hundred ninety-seven, entitled "Fraudulent conveyances and contracts relating to personal property," being section nine thousand five hundred twenty-three of the Compiled Laws of eighteen hundred ninety-seven, as amended by act two hundred fifty-eight of the public acts of nineteen hundred five, entitled "An act to amend section ten of chapter two hundred fifty-eight of the Compiled Laws of eighteen hundred ninety-seven, entitled 'Fraudulent conveyances and contracts relating to personal property,' being compiler's section nine thousand five hundred twenty-three," is hereby amended to read as follows:

When mort-
gage void.

SEC. 10. Every mortgage or conveyance intended to operate as a mortgage, of goods and chattels, which shall hereafter be made, which shall not be accompanied by an immediate delivery, and followed by an actual and continued change of possession of the things mortgaged, shall be absolutely void as against the creditors of the mortgagor, and as against subsequent purchasers or mortgagees in good faith, unless the mortgage, or a true copy thereof, shall be filed in the office of the township clerk of the township, or city clerk of the city, or city recorder of cities having no officer known as city clerk, where the goods or chattels are located, and also where the mortgagor resides, except when the mortgagor is a non-resident of the State, when the mortgage, or a true copy thereof, shall be filed in the office of the township clerk of the township or city clerk of the city, or city recorder of cities having no officer known as city clerk, where the property is: *Provided*, That in the case of corporations engaged in transporting passengers or freight, or conveying electricity or gas or telephonic or telegraphic communications, all that is, or shall be required is the filing of a copy of such mortgage with the register of deeds of each county through which the lines or property thereof passes,

Proviso as to
certain corpo-
rations.

and such mortgages shall not require any affidavit of renewal. And unless the mortgagor named in such mortgage, or conveyance intended to operate as a mortgage, or some person for him, having knowledge of the facts, shall, before the filing of the same, make and annex thereto an affidavit setting forth that the consideration of said instrument was actual and adequate, and that the same was given in good faith for the purposes in such instrument set forth, no officer shall receive such instrument or file the same in his office until such affidavit is made and annexed thereto. Every person who shall knowingly make any false statement in any such affidavit, upon conviction thereof shall be deemed guilty of the crime of perjury.

Mortgage not receivable for filing without affidavit annexed.

False statement in affidavit, perjury.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 333.]

AN ACT to amend section one of act number three hundred fifty of the public acts of eighteen hundred sixty-five, entitled "An act to protect fish and preserve the fisheries of this State," approved March twenty-one, eighteen hundred sixty-five, being section five thousand eight hundred fifty-four of the Compiled Laws of eighteen hundred ninety-seven.

The People of the State of Michigan enact:

SECTION 1. Section one of act number three hundred fifty of the public acts of eighteen hundred sixty-five, entitled "An act to protect fish and to preserve the fisheries of this State," approved March twenty-one, eighteen hundred sixty-five, being section five thousand eight hundred fifty-four of the Compiled Laws of eighteen hundred ninety-seven is hereby amended to read as follows:

Section amended.

SEC. 1. It shall be unlawful for all persons to put into any of the waters of this State, where fish are taken, any offal, blood, putrid brine, putrid fish or filth of any description, and any person so offending shall be fined in any sum not exceeding three hundred dollars, or imprisonment not exceeding thirty days, or both, at the discretion of the court:

Putting of offal, etc., into waters prohibited.

Provided, however, That this act shall not be construed to apply to discharging the waste matter of any paper mill into any of the streams or their tributaries on sections thirteen, twenty-three and twenty-four of Schoolcraft township, Kalamazoo county.

Proviso, waste matter from certain paper mills.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 334.]

AN ACT to regulate and license pawnbrokers and loan agents.

The People of the State of Michigan enact:

Pawn-
brokers, etc.,
to obtain
license.

SECTION 1. No person, corporation or firm shall hereafter carry on the business of pawnbroker or loan agent in any of the cities of this State, without having first obtained from the mayor of the city where the business is to be carried on, a license subject to the provisions of this act, authorizing such person, corporation or firm to carry on such business.

Mayor to
grant.

License, what
to designate.

Duration.

Annual
license fee,
bond.

Proviso.

"Pawn-
broker"
defined.

"Loan agent."

Personal
action on
bond.

SEC. 2. The mayor of any such city may from time to time grant under his hand, and the official seal of his office, to any suitable person, corporation or firm, a license authorizing such person, corporation or firm to carry on the business of a pawnbroker or loan agent subject to the provisions of this act. Said license shall designate the particular place in said city where such person, corporation or firm shall carry on said business, and no person, corporation or firm receiving said license shall carry on said business in any other place than the one designated in said license. Said license shall be for the period of one year from date of issuance, unless sooner revoked for cause, and shall not be transferable. Before any such license shall be issued the person applying therefor shall pay to the treasurer of the city an annual license fee of two hundred and fifty dollars, and shall give a bond to the said city, in its corporate name, in the penal sum of three thousand dollars, with at least two sureties, to be approved by the city council, conditioned for the faithful performance of the duties and obligations pertaining to the said business, and for the payment of all costs and damages incurred by any violation of this act: *Provided*, That it shall be within the power of the common council of any city to fix the amount to be paid as such annual license fee at any amount not less than fifty dollars, nor more than five hundred dollars.

SEC. 3. Any person, corporation or member, or members of a copartnership or firm, who loans money on deposit, or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or who deals in the purchasing of personal property or other valuable thing on condition of selling the same back again at a stipulated price, is hereby defined to be a pawnbroker. Any person, corporation or member or members of a copartnership or firm who loans money on pledge of wages or salary earned or to be earned, is hereby defined to be a loan agent.

SEC. 4. If any person shall be aggrieved by the conduct of any such licensed pawnbroker, or loan agent and shall recover judgment against him therefor, such person may, after the return unsatisfied, either in whole or in part, of any ex-

ecution issued upon said judgment, maintain an action in his own name upon the bond of the said pawnbroker or loan agent in any court having jurisdiction of the amount of said judgment remaining unsatisfied.

SEC. 5. Every such pawnbroker or loan agent shall keep a book to be inspected by the chief of police or chief police officer of the city, in which shall be written in English, at the time he shall receive any article of personal property, or other valuable thing by way of pledge or pawn, a description of such article, the amount of money loaned thereon, the rate of interest to be paid on such loan, the name, residence and general description of the person from whom, and the day and hour when such property was received; and such book, and the place where such business is carried on, and all articles of property therein, shall be subject to examination at any time by the mayor, city attorney, or other police officer of such city, or by the prosecuting attorney or the sheriff or other police officer of the county in which said city is situated.

Book to be kept, what to contain, subject to inspection, etc.

SEC. 6. Every such pawnbroker or loan agent shall make weekly, a sworn statement of his transactions, describing the goods or pledge received, and setting forth the name, residence and description of the person from whom the goods or pledge were received, to the chief of police or chief police officer of such city.

Weekly sworn statement.

SEC. 7. No pawnbroker or loan agent shall purchase any second-hand furniture, metals, clothing or other articles or thing, or sell, dispose of or keep for sale any such second-hand articles or thing, except they have been pawned to him, and are or have been sold at public auction to the highest bidder, as hereinafter provided. Any articles sold to such pawnbroker, upon the understanding that such article is to be purchased from such pawnbroker by the seller thereof, or by any person acting for such seller, shall be deemed to be pawned within the meaning of this section.

Second-hand goods, lawful possession of.

"Pawned" defined.

SEC. 8. Every such pawnbroker or loan agent shall at the time of such loan, deliver to the person pawning or pledging any goods, article or thing, a memorandum or note signed by him, containing the substance of the entry required to be made by him in his book by section six of this act, and no charge shall be made or received by any pawnbroker or loan agent for any such entry, memorandum or note. Such memorandum or notes shall be consecutively numbered.

Memorandum, to whom delivered.

To be numbered.

SEC. 9. No pawnbroker shall exact more than the legal rate of interest and three per cent. additional, on pain of forfeiture of the principal and interest.

Interest, limit of.

SEC. 10. No pawnbroker shall sell any pawn or pledge until the same shall have remained six months in his possession, and all such sales shall be at public auction to the highest bidder, and not otherwise. Notice of such sale shall be published for at least six days previous thereto in one of the daily newspapers to be designated by the mayor, pub-

Pawned goods, sale of.

Notice.

Proviso.

Notice, what to specify.

When title reinvested in pawner.

Surplus from sale, disposition of.

Identity of article not to be obliterated.

Pawn, when and from whom not to be received.

Search warrants, when issued, etc.

lished in English in the city where the business is carried on: *Provided*, That if there be no daily newspaper in said city, said notice shall be published at least two successive weeks, in a weekly newspaper, to be designated by the mayor, published in English, in such city. Such notice shall specify the time and place at which such sale is to take place and by whom it is to be conducted, and shall contain the same description of the articles or goods to be sold as was given in the memorandum or note delivered to the pawner under section eight of this act, and shall give the number of such memorandum or note.

SEC. 11. The borrower may, at any time prior to the sale, pay or tender to the pawnbroker the debt and interest thereon, together with the cost of advertising the sale, if the sale has been advertised, and such payment or tender shall have the effect to reinvest the pawner with the title and right of possession to the property pledged.

SEC. 12. The surplus money, if any, arising from such sale, after deducting the amount of the loan, the interest then due on the same, and the expense of advertising, shall be paid over by the pawnbroker to the person who would be entitled to redeem the pledge or pawn in case no such sale had taken place.

SEC. 13. No pawnbroker shall deface, scratch, obliterate, melt, separate or break into parts any article or thing received by him in pawn or otherwise, or in any manner do, cause or suffer to be done by others, anything which shall destroy or tend to destroy the identity of such article or render the identification thereof more difficult.

SEC. 14. No pawnbroker shall receive any pledge, pawn, articles or thing whatever from any person after receiving from any one of the officers mentioned in section five of this act, or the parent or guardian of any minor or person of unsound mind, written notice that such person is a minor, or is of unsound mind, or neglects all lawful business, or that he habitually spends his time in frequenting houses of ill-fame, gaming houses or tippling houses, or that from drinking, gaming, idleness or debauchery of any kind he is squandering his earnings or wasting his estate, or that he is likely to bring himself or family to want, or to render himself or family a public charge, or that he is suspected of thievery. No pawnbroker shall receive any pawn from any person under eighteen years of age.

SEC. 15. Whenever complaint shall be made by any person on oath to any magistrate in any city, authorized to issue warrants in criminal cases, that personal property belonging to such complainant has been without his consent pawned or pledged, and that the complainant believes the same to be in some pawnshop within such city, such magistrate, if he be satisfied that there is reasonable cause for such belief, shall issue a warrant to search for such property in the

several pawnshops in said city, which warrants shall be directed to the sheriff or any constable of the county, commanding such officer to search the said several pawnshops where the property for which he is required to search is believed to be concealed, which places, and the property or thing to be searched for shall be designated and described in the warrant, and to bring such property or other thing before the magistrate issuing the warrant. The court before which any property so seized shall be brought, shall cause the same to be delivered to the complainant on his issuing a bond as hereinafter provided, and if such bond be not executed within twenty-four hours, excluding Sunday, said court shall cause said property to be returned to the person from whose possession it was taken.

Return to
owner.

SEC. 16. The said bond shall be in double the value of the property claimed, with such surety as such court shall approve, and shall be given to the person from whose possession the property was taken, with condition that the obligor so claiming the same will pay all the costs and damages that may be recovered against him by the obligee in any suit brought within ten days from the date of such bond.

Bond of com-
plainant.

SEC. 17. No license granted under the provisions of this act shall authorize any business to be transacted by pawnbrokers or loan agents on the first day of the week commonly called Sunday.

Closed
Sunday.

SEC. 18. Any person who shall violate any of the provisions of this act, whether as owner, or as clerk, agent, servant or employe, shall be guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction be fined not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than ten days nor more than three months, or by both such fine and imprisonment in the discretion of the court.

Penalty for
violation of
act.

SEC. 19. Upon any such conviction of any person doing business as a pawnbroker or loan agent under the provisions of this act, or on conviction of any clerk, agent, servant or employe of any such person, the license of such person shall forthwith be revoked by the mayor of the city, and no part of the license fee of such party shall be returned to him, and no further license as a pawnbroker or loan agent shall be granted to such person for the period of one year from the date of such revocation.

License,
revocation of.

Approved June 28, 1907.

[No. 335.]

AN ACT to amend section fourteen of act two hundred seventeen of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws organizing asylums for the insane, and to regulate the care, management and use thereof, and to provide for the apprehension of persons believed to be insane, and for their care and custody," approved June sixteen, nineteen hundred three.

The People of the State of Michigan enact:

Section amended.

SECTION 1. Section fourteen of act number two hundred seventeen of the public acts of nineteen hundred three, entitled "An act to revise and consolidate the laws organizing asylums for the insane, and to regulate the care, management and use thereof, and to provide for the apprehension of persons believed to be insane, and for their care and custody," approved June sixteen, nineteen hundred three, is hereby amended to read as follows:

Persons not to be held as patient without certificate.

Proviso, certain persons under guardianship in Wayne county.

Proviso, when may be removed to hospital, etc.

Further proviso, period of temporary detention.

SEC. 14. No person who is a resident of this State shall be held as a public or private patient in any asylum, public or private, or in any institution, home or retreat, for the care or treatment of the insane, except upon certificates of insanity and an order for admission as hereinafter provided: *Provided*, That in the county of Wayne such persons as may have been or may hereafter be adjudged to be so addicted to the excessive use of intoxicating liquors, or narcotic or noxious drugs, as to be in need of medical and sanitary treatment and care for whose person a guardian has or may be appointed with power to restrain his said ward in some suitable hospital or asylum for treatment: *Provided*, Whenever it shall appear to a judge of any court of record, or a police justice of any city or county, where such person may be, from a certificate of two legally qualified physicians, to be necessary and essential so to do, said judge or police justice may authorize any superintendent of the poor or peace officer of said city or county to take into custody and cause to be removed to any hospital or other place of detention, any person believed to be insane against whom no proceedings have been instituted under this act, and such person may be detained until such proceedings as hereinafter provided shall be instituted in the probate court: *Provided further*, That the period of such temporary detention shall not exceed five days, unless the probate court shall by special order enlarge the time.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 336.]

AN ACT to prohibit the maintaining of a bucket shop, office, store or other place wherein is conducted or permitted the pretended buying or selling of the shares of stock or bonds of any corporation, or petroleum, cotton, grain, provisions or other produce, either on margins or otherwise, without any intention of receiving or paying for the property so bought, or of delivering of the property so sold, and defining a bucket shop.

The People of the State of Michigan enact:

SECTION 1. A bucket shop, within the meaning of this act, is defined to be an office, store or other place wherein the proprietor or keeper thereof, or other person or agent, either in his or its own behalf, or as an agent or correspondent of any other person, corporation, association or copartnership within or without the State conducts the business of making or offering to make contracts, agreements, trades or transactions respecting the purchase or sale, or purchase and sale of any stocks, grains, provisions or other commodity or personal property wherein both parties thereto, or said proprietor or keeper contemplated or intended that the contracts, agreements, trades or transactions shall be, or may be closed, adjusted or settled according to or upon the basis of the market quotations or price made on any board of trade or exchange, upon which the commodities or securities referred to in such contracts, agreements, trades or transactions are dealt in, and without a bona fide transaction on such board of trade or exchange, or wherein both parties or such keeper or proprietor shall contemplate or intend that such contracts, agreements, trades or transactions shall be or may be deemed closed or terminated, when the market quotations of prices made on such board of trade or exchange for the articles or securities named in such contracts, agreements, trades or transactions shall reach a certain figure, and also any office, store or other place where the keeper, person or agent or proprietor thereof, either in his or its own behalf, or as an agent as aforesaid therein, makes or offers to make, with others, contracts, trades or transactions for the purchase or sale of any such commodity, wherein the parties thereto do not contemplate the actual or bona fide receipt or delivery of such property, but do contemplate a settlement thereof based upon differences in the price at which said property is or is claimed to be bought and sold. The said crime shall be complete against any proprietor, person, agent or keeper thus offering to make any such contracts, trades or transactions, whether such offer is accepted or not. It is the intention of this act to prevent, punish and prohibit within this State,

Bucket shops defined.

Offer alone, completes a crime.

Intent of act.

the business now engaged in and conducted in places commonly known and designated as bucket shops, and also to include the practice now commonly known as bucket shopping by any person or persons, agents, corporations, associations or copartnerships who or which ostensibly carry on the business or occupation of commission merchants or brokers in grain, provisions, cotton, coffee, petroleum, stocks, bonds or other commodities whatsoever.

Felony to keep, maintain, etc.

Penalty.

Second offense.

In case of corporation.

Accessories, who deemed.

Penalty.

Statement, certain furnished on demand.

SEC. 2. It shall be unlawful, and the same is hereby made a felony for any corporations, association, copartnership, person or persons, or agent to keep or cause to be kept within this State, any bucket shop, and any corporation, person or persons, or agents whether acting individually or as a member or as an officer, agent or employe of any corporation, association or copartnership, who shall keep, maintain or assist in the keeping and maintaining of any such bucket shop within this State shall, upon conviction thereof, be fined in a sum not less than five hundred dollars or more than one thousand dollars, or by imprisonment in the penitentiary not exceeding two years, and any person or persons who shall be guilty of a second offence under this statute, in addition to the penalty above prescribed may, upon conviction, be both fined and imprisoned in the discretion of the court, and if a corporation, it shall be liable to forfeiture of all its rights and privileges as such; and the continuance of such establishment after the first conviction shall be deemed a second offence.

SEC. 3. Any corporation, association or copartnership, person or persons or agent or agents who shall communicate, receive, exhibit or display in any manner, any statements of quotations of the prices of any property mentioned in section one hereof, with a view to any transactions or transaction in this act prohibited, shall be deemed an accessory, and upon conviction thereof, shall be fined and punished the same as the principal, as provided in section two of this act.

SEC. 4. It shall be the duty of every commission merchant, copartnership, association, corporation, person or persons, or agent or broker in this State, engaged in the business of buying or selling of or buying and selling stocks, bonds, grain, provisions or other commodities or personal property for any person, principal, customer or purchaser, to furnish, upon demand, to any customer or principal for whom such merchant, broker, copartnership, corporation, association, person or persons, or agent or agents has executed any order for the actual purchase or sale of the commodities hereinbefore mentioned, either for immediate or future delivery, a written statement containing the names of the parties from whom the property was bought, or to whom it shall have been sold, as the case may be, the time when, the place where, and the price at which the same was either bought or sold, and in case such commission

merchant, broker, person or persons, or agent or agents, copartnership, corporation or association shall refuse promptly to furnish the statement upon reasonable demand, the fact of such refusal shall be prima facie evidence that such property was not sold or bought in a legitimate manner, but was bought in violation thereof.

Fact of refusal prima facie violation.

Sec. 5. Nothing herein shall be construed as to change, modify, or repeal present and existing laws relating to the subject matter hereof.

Effect on existing laws.

Approved June 28, 1907.

[No. 337.]

AN ACT regulating the loaning of money when, as security for such loan, a lien is taken upon household furniture and effects, musical instruments, typewriters and sewing machines or any other personal chattels, or any assignment or transfer of any salary or part thereof, and prescribing penalties for the violation of the act.

The People of the State of Michigan enact:

SECTION 1. It shall be lawful, notwithstanding any other law to the contrary, for any individual, partnership, association or corporation lending money in any city in this State, containing more than twenty thousand inhabitants according to the last enumeration taken by the State, and taking as security for the repayment thereof, an assignment or transfer of the whole or a part of any salary, or a lien upon any household furniture and effects, musical instruments, typewriters and sewing machines or any other personal chattels, whether such lien shall be in the nature of a conditional sale, chattel mortgage, bill of sale, whether recorded or unrecorded, or any other lien of any character whatsoever, to charge for the use of money not to exceed the rate of two per cent interest per month thereon. No additional sum, either in the way of a bonus, attorney fee or as a charge for examining or valuing the property offered as security or otherwise, shall be required or exacted from the borrower: *Provided*, That a fee in addition to the interest allowed by this act may be charged as follows: For sums not exceeding fifty dollars, not to exceed one dollar; for all sums exceeding fifty dollars, not to exceed two dollars: And *Provided further*, That it shall not be lawful to divide or split up loans under any pretext whatsoever for the purpose of requiring or exacting any other or greater charges than prescribed herein: And *Provided further*, That it shall not be lawful to make any charge for renewals or

Loans on salary, household goods, etc., in certain cities.

Lawful interest.

Additional sum not to be charged.

Proviso, fee allowed.

Proviso, division, etc., of loans.

Proviso, charge for renewals, etc.

Excess pay-
ments, how
applied.

extensions or for any transfers or changes of the loan, within one year of the date of the original loan, or oftener than once in each period of twelve months thereafter. All payments in excess of the rates hereby authorized shall be applied to the discharge of the principal of the loan, and the borrower shall be obliged to pay or tender only the balance of the principal and interest at said rate, due after such application.

Mortgage, etc.
what to state.

SEC. 2. Neither a mortgage upon household furniture and effects, musical instruments, typewriters and sewing machines, or any other personal chattels, nor any assignment of salary, shall be valid unless it states the amount of the loan, the time for which the loan is made, the rate of interest to be paid, and the actual fee charged.

License re-
quired when
rate higher
than seven
per cent.

SEC. 3. No person, corporation, partnership or association shall engage in the business of making loans under the terms of this act and charge or receive a higher rate of interest than seven per cent. per annum, without first obtaining a license for carrying on said business in the city in which said business is to be transacted. Such license shall be granted upon application to the mayor of the city in which the business is to be conducted, for which license the licensee shall pay annually to the treasurer of said city a fee to be fixed by the common council thereof. Such license shall not be granted until the applicant therefor shall file with such mayor of the city a statement under oath, which in case of a corporation, is to be made by the president or agent thereof in charge of such business, stating the place in the city where the business is to be carried on, and the name of the private and business address of the applicant or other officer having charge of its proposed business, and if a copartnership, the name and address of each of the partners. If any change occurs in the address of the licensee, agent or person in charge of such business as aforesaid, or in the place where the licensed business is carried on, or in the membership of any partnership doing such business, a true statement of such change, sworn to as above provided, shall forthwith be filed with the mayor of said city.

When granted,
fee, etc.

Statement
filed, what
to contain.

Change in
address, etc.,
of licensee.

Licensee to
give bond,
how exe-
cuted, etc.

SEC. 4. Such license shall not be granted until said licensee shall give to the treasurer of said city a bond to be approved by the city treasurer, in the penal sum of one thousand dollars. Such bond may be executed by a domestic or foreign corporation, authorized by the State Superintendent of Insurance to transact within the State, the business of surety insurance as surety, conditioned to pay all damages and double the costs sustained by the mortgagor, his heirs and assigns, resulting from any violation of the provisions of this act. For any violation of the provisions or restrictions of this act, the said bondsman shall be liable as provided by the conditions of said bond, and suit may be brought by the said mortgagor, his heirs and assigns, in any proper form of action to recover the same, which shall

Liability for
violation.

be for his own use and benefit. The mayor or city treasurer New bonds. may at any time order a new bond and upon the failure to file any such bonds required, or whenever a licensee has been twice adjudged guilty of a breach of any of the provisions of this act, the mayor of the city where such licensee is engaged in business shall forthwith revoke such license.

SEC. 5. Whenever payment is made on account of a loan Receipt given, what to contain. to which the provisions of this act apply, the person receiving such payment, or his principal, shall, when the payment is made, give to the person paying, a receipt, setting forth the amount then paid, and the amount previously paid, and the amount remaining due, identifying the loan and note, mortgage or assignment to which it is to be applied.

SEC. 6. Any violation of the provisions of this act shall be a misdemeanor and punishable by a fine of not more than one hundred dollars for the first offense, and by a like fine and in the discretion of the court, imprisonment in the jail for thirty days for the second and each subsequent offense, and further, the entire amount loaned, shall be forfeited to the borrower or borrowers and the mortgage securing the same shall become null and void. Penalties for violation.

Approved June 28, 1907.

[No. 338.]

AN ACT to provide for the examination, regulation, licensing and registration of persons engaged in the practice of dentistry, and for the punishment of offenders against this act, and to repeal all acts and parts of acts in conflict herewith.

The People of the State of Michigan enact:

SECTION 1. It shall be unlawful for any person not a registered dentist within the meaning of this act, to practice dentistry or dental surgery in any of its departments, as principal or agent, in the State of Michigan, except as hereinafter provided. When unlawful to practice dentistry.

SEC. 2. From and after the passage of this act, the State Board of Dental Examiners herein provided for, shall consist of five members, to be appointed by the Governor. The members of the board created by act number one hundred forty of the public acts of eighteen hundred eighty-three, entitled "An act to regulate the practice of dentistry in the State of Michigan," holding office at the time of passage of this act, shall be continued in office as members of the State Board of Dental Examiners until expiration of the term for State board of dental examiners, number, appointment, etc.

which they are appointed. The additional members of said board shall be appointed for such periods that the term of office of one member of said board shall expire annually, and annually on January one thereafter, the Governor shall appoint a member of said board whose term of office shall be for a period of five years. The several members of said board shall hold office until their respective successors are appointed and qualified, and if any vacancy occurs in said board, another shall be appointed as aforesaid to fill the unexpired term thereof. The members of said board shall be electors and reputable dentists and graduates of a reputable dental college, who have resided in this State for at least five years and have had at least five years' experience in their profession. Said board shall have full powers to make by-laws and necessary regulations for the proper fulfillment of their duties under this act. It shall choose one of its members president and one secretary-treasurer, and shall hold two regular meetings each year, at such dates and places as may be deemed best. Special meetings may also be held. A majority of the board shall constitute a quorum for the transaction of business. Said board shall keep a full record of its proceedings and a full registry of all persons licensed and certified as dentists by said board, which shall be public records, and at all times open to inspection as such. A transcript of any of the entries in such record, certified by the secretary-treasurer under the seal of said board, shall, at all times and places, be competent evidence of the facts therein stated. The members of said board shall have the power to administer oaths and hear testimony in all matters relating to the duties imposed upon it by law. Said board shall make an annual report of its proceedings to the Governor on or before the thirty-first day of December in each year.

SEC. 3. All persons who desire to begin the practice of dentistry in this State after the passage of this act, and who shall have a license from the dental board of another state, or who shall have received a diploma from the faculty of some reputable dental college duly organized under the laws of this or any other state of the United States, shall have the right to apply to the dental board of this State for examination as to their proficiency; and all successful applicants shall be licensed and registered by said dental board: *Provided*, Nothing in this act shall deprive a candidate who has already appeared before the board and failed on examination from the privilege of re-examination. Said dental board shall be authorized to ascertain and determine what shall constitute a dental college or institution in good standing and repute; but no such dental college or dental institution shall be considered reputable unless the same shall possess the following qualifications:

First. It shall be chartered under the laws of the state in which it is located and operated, and shall be authorized by

its charter to confer the degrees of Doctor of Dental Surgery or Doctor of Dental Medicine;

Second, It shall deliver, annually, a full course of lectures and instructions by competent faculty and corps of instructors in the following subjects: Anatomy, chemistry, physiology, histology, materia medica, therapeutics, dental metallurgy, pathology, bacteriology, operative dentistry, prosthetic dentistry, crown and bridge work and oral surgery and hygiene, said course of instruction to consist of not less than three terms in separate academic years and of not less than thirty-two weeks of six days for each session, and shall require its matriculates to have a general education equivalent to that required for graduation from a high school of recognized standing;

Course of instruction.

Third, The apparatus and equipment of each said dental college or institution shall be ample and sufficient for the ready and full teaching of the above named subjects, and every such college shall allow said State Board of Dental Examiners of this State the privilege of inspecting its work and equipment at any time.

Apparatus, etc.

SEC. 4. Said dental board shall have power, after due notice in writing for twenty days and upon a full hearing at a time and place fixed in said notice, to revoke and annul any original license or registration for fraud, deceit or misrepresentation in the practice of dentistry, or for gross violations of professional duties. Nor shall said dental board relicense any one whose license has once been revoked for any of the above causes within one year after such revocation, and then only upon sufficient assurance and guarantees to said board of correct conduct for the future. The notice hereinbefore provided to be given may be served by registered letter mailed to the address of the dentist under investigation, and when the whereabouts of any such person is unknown, then said notice may be sent to the last known address of such person.

When may revoke license.

Notice, how served.

SEC. 5. All persons entitled to examination as provided in this act shall file application and license in writing, supported by affidavit, stating the facts which entitle him or her to such examination, and each applicant shall accompany his or her application with such license or diploma for verification as to its genuineness. All applicants for examination shall, at the time of making such application, pay to the secretary-treasurer of the dental board, a fee of twenty dollars, and each applicant shall present himself before the said dental board for examination at the first or second regular meeting after his application shall have been made, and in default thereof, said fee shall be forfeited to said dental board. The fee for any subsequent application for examination or re-examination shall be ten dollars. The examination may be written or oral, or both, at the option of said board, and shall include the following subjects: Anatomy, chemistry, physiology, histology, bacteriology, operative dentistry,

Application for examination.

Fee.

Subsequent examinations.

Subjects.

When certificate granted.

prosthetic dentistry, crown and bridge work, and oral surgery and hygiene. All persons of good moral character, who shall successfully pass such examination, shall be licensed and registered by said dental board and shall receive a certificate of such license and registration duly authenticated by the signature of the members of the board, and with the seal of said board attached; and in no case shall said examination fee be refunded, but said dental board may, for sufficient cause, remit said fee for subsequent re-examination.

Certificate to be recorded before practicing.

SEC. 6. No person having received a certificate from the State Board of Dental Examiners in the manner hereinbefore provided, shall engage in the business of a dentist in any county of the State in which he shall locate, or into which he shall afterwards remove, until he shall have had such certificate recorded in the office of the county clerk of such county, and it is hereby made the duty of the county clerk to record such certificates in a book provided and kept for that purpose, and the clerk is authorized to charge a fee of fifty cents for recording such certificate, to be paid by the person offering such certificate, for record. The record of each certificate required by this act, or certified copy thereof, shall be evidence in all courts that the person holding it is a registered dentist within the meaning of this act. It is hereby made the duty of each county clerk in the State to furnish the State Board of Dental Examiners on the first day of July a list of all dentists registered in his county during the preceding year, this report to be made on tabulated blanks to be sent to said county clerk for the purpose. The register of the county clerk shall be open to public inspection during business hours. Any failure or neglect or refusal on the part of any person holding such certificate to register the same with the county clerk as above directed, for a period of six months, shall work a forfeiture of the certificate. In order that a complete register of all the dentists practicing in this State at the present time may be made, within sixty days after this act takes effect, it shall be the duty of every dentist at present practicing in the State, whether legally licensed at present or otherwise, to forward to the Board of Dental Examiners an affidavit setting forth the facts of his registration or the credentials upon which he may claim re-registration. This application shall be accompanied with a fee of three dollars, which shall be deposited in a special fund to be used only by the Board of Examiners for the enforcement of this act against unlicensed or unregistered practitioners. No license or certificate of registration when once forfeited, for any cause, shall be registered, except upon the payment to the said Board of Dental Examiners of the sum of twenty-five dollars as a penalty for such neglect, failure, refusal or misconduct.

County clerk to record, fee.

When list of registered dentists furnished board.

Penalty for neglect to register certificate.

Present practitioners duty as to re-registration.

Re-registration fee, when license forfeited.

Who deemed practitioners.

SEC. 7. All persons shall be said to be practicing dentistry within the meaning of this act, who shall use the word or letters "Dentist," "D. D. S.," or any other letters or

title in connection with his name, which in any way represents him as engaged in the practice of dentistry, or who shall advertise or permit it to be done by sign, card, circular, handbill, newspaper or otherwise, that he can or will attempt to perform dental operations of any kind, treat disease or lesions of the human teeth or jaws, or replace lost teeth by artificial ones, or attempt to correct malposition thereof, or who shall for a fee, salary, or other reward, paid or to be paid, either to himself or to another person, perform dental operations of any kind, treat diseases or lesions of the human teeth or jaws, or replace lost teeth by artificial ones, or attempt to correct malposition thereof. But nothing contained in this act shall be taken as applying to the acts of legally qualified physicians in the extraction of teeth, in the performance of their duties as such, or to acts of bona fide students of dentistry done in the college building, in the pursuit of clinical advantages while in attendance upon a regular course of study in a reputable dental college. Any licensed dentist, proprietor, partnership, association or corporation, owning, running, operating or controlling any room or rooms, office or dental parlors, where dental work is done, provided or contracted, who shall employ, keep or retain any unlicensed dentist or student as an operator shall be guilty of a misdemeanor and punished as provided in section ten.

Not applicable to physicians, etc.

Unlawful to employ unlicensed dentist.

SEC. 8. Out of the funds coming into the possession of said board as above specified, the members of said board may receive as compensation the sum of ten dollars for each day actually engaged in the duties of their office as such examiners and actual necessary expenses. Said expense shall be paid from the fees and assessments received by said board under the provisions of this act, and no part of the salary or expense of said board shall ever be paid out of the State treasury. All moneys received in excess of said per diem allowance and mileage as above provided for, shall be held by the secretary-treasurer of said board, as a special fund for other expenses of said board and for carrying out the provisions of this act. The secretary-treasurer of said board shall, from time to time, give such bond for the faithful discharge of his duties as the custodian of funds of said board as it may direct. Said board shall appropriate from any fund under its control, a sum of not to exceed five hundred dollars annually as compensation for the services of the secretary-treasurer.

Compensation of examiners, how paid, etc.

Excess moneys, how held.

Secretary-treasurer, bond, compensation.

SEC. 9. Any person who shall practice, or attempt to practice dentistry either as proprietor, employee or assistant, without having a license, or without having his license renewed as provided by section seven of this act, or without keeping his license in open view in his operating room, shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by confinement in the county jail not less than twenty days, or by both such fine and im-

Penalty for practicing without license.

Prosecuting
attorney,
duty.

prisonment. It is hereby made the duty of the prosecuting attorney of each county in the State to prosecute every case to final judgment, whenever his attention shall be called to a violation of this act.

Applicants
from other
states, regis-
tration of.

SEC. 10. An applicant shall be registered and given a certificate of registration if he or she present a certified copy of certificate of registration or license which has been issued to said applicant in any other state or foreign country where the requirements for registration shall be deemed by said board to be equivalent to those of this act: *Provided*, That such country or state shall accord a like privilege to holders of certificates from this board. The fee for registration of applicants of this class shall be ten dollars, to be paid at the time of application.

Proviso.

Fee.

Penalty for
filing forged
certificate,
etc.

SEC. 11. Any person filing, or attempting to file, as his own, the diploma or license of another, or a forged affidavit of identification or qualification, shall be deemed guilty of a felony, and upon conviction thereof, shall be subject to such fine and imprisonment as is made and provided by the statutes of this State for the crime of forgery.

Act repealed.

SEC. 12. Act number one hundred forty of the public acts of eighteen hundred eighty-three, and all acts or parts of acts in any way contravening the provisions of this act, are hereby repealed.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 339.]

AN ACT to amend section one of act one hundred eleven of the public acts of eighteen hundred eighty-nine, as amended, entitled "An act to protect fish and regulate fishing in the waters of this State, by providing close seasons for certain kinds of fish, by prohibiting the catching of fish in certain specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the obstruction of the free passage of fish, and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture, and to repeal inconsistent acts," approved May twenty-four, eighteen hundred eighty-nine.

The People of the State of Michigan enact:

Section
amended.

SECTION 1. Section one of act one hundred eleven of the public acts of eighteen hundred eighty-nine, as amended, entitled "An act to protect fish and regulate fishing in the waters of this State, by providing close seasons for certain kinds of fish, by prohibiting the catching of fish in certain

specified ways, by prohibiting the catching of fish of certain sizes and in certain waters and for certain purposes, by prohibiting the obstruction of the free passage of fish, and by prohibiting the sale of certain kinds of fish, to protect persons engaged in fish culture, and to repeal inconsistent acts," approved May twenty-four, eighteen hundred eighty-nine, is hereby amended to read as follows:

SEC. 1. No persons shall catch or take from any lake, river or stream of this State by any means whatever, any speckled trout, land lock salmon, grayling, California trout, Lockleven trout or steel head trout, from the fifteenth day of August in each year until the fifteenth day of April following thereafter. When unlawful to catch certain fish.

This act is ordered to take immediate effect.

Approved June 28, 1907.

[No. 340.]

AN ACT to regulate the practice on appeal in chancery cases.

The People of the State of Michigan enact:

SECTION 1. Hereafter appeals in chancery to the Supreme Court of this State shall be taken and perfected under the provisions of this act and not otherwise. Appeals in chancery, hereafter how taken.

SEC. 2. Any person conceiving himself aggrieved by the decree of any court in chancery may, within forty days after the filing of the decree, claim an appeal from said decree to the Supreme Court of the State of Michigan by filing a written claim of appeal with the register of the court in which the decree complained of was rendered. Final process shall not issue nor shall any proceeding for the enforcement of said decree be had if said appellant shall file with the aforesaid claim a bond to the opposite party in amount to be fixed by the court in which the decree was rendered, or by any judge thereof or by any circuit court commissioner of the county in which the decree was rendered, signed by one or more sureties to be approved by the court which rendered the decree or in his absence by a circuit court commissioner and conditioned for the diligent prosecution of the appeal, for the payment of costs which may be taxed or which have been taxed in the cause, and for the performance of all relief which the appellant may be required to perform by the final decree entered in said cause upon the appeal. If the written claim of appeal herein provided for is not filed with the register in chancery as aforesaid an appeal may not thereafter be taken from the decree. Claim of appeal, when and where filed. Final process, when not to issue. In case claim not filed with register.

Service of transcript on opposite party.

Service of copy of amendments, exhibits, etc.

Proviso, statement of facts.

Failure of appellee to serve amendments.

To certify to transcript offered by appellant.

Transcript filed with register of trial court; fee.

Duty of register

SEC. 3. The party claiming the appeal shall, within sixty days after he shall have filed his claim of appeal as aforesaid, in suits heard in open court, cause a complete typewritten copy to be prepared of the stenographer's notes of the trial and shall, within the said sixty days, serve the aforesaid copy, together with a copy of such exhibits and of such portions of the stenographer's minutes aforesaid, as shall seem to him necessary to the correct disposition of the cause in the Supreme Court and which will hereinafter be called the transcript, upon the opposite party or his solicitor of record in the trial court. Within thirty days after said service the appellee or his solicitor shall cause to be served upon the appellant or his solicitor of record in the trial court, a copy of such amendments as he proposes to the transcript, and also such exhibits as he desires shall be incorporated in the record for transmission to the Supreme Court and shall accompany the said amendments with the original copy of the stenographer's notes previously served upon him together with a notice that the transcript will be settled before the judge who heard the cause or before a circuit court commissioner, if the judge be absent, at some date not less than four nor more than six days from the date of the service of the proposed amendments: *Provided*, That it shall be lawful for the respective parties or their solicitors to agree upon a statement of facts without procuring a copy of the stenographic notes of the trial, and the trial judge or circuit court commissioner aforesaid shall certify to such statement, and said statement so certified shall stand as the transcript settled before the judge as hereinbefore provided for.

SEC. 4. In case of the failure of the appellee to prepare and serve the amendments to the transcript aforesaid the case may be heard in the Supreme Court upon the transcript offered by the appellant, and upon satisfying the trial judge or the circuit court commissioner, in the event of the absence of the trial judge, of due service of the papers required to be served by the appellant in the preceding section upon the appellee or his solicitor as aforesaid, and of the expiration of the time herein limited for the service of amendments by the appellee the trial judge or circuit court commissioner, in his absence, shall certify to the transcript offered by the appellant as the transcript settled for the cause.

SEC. 5. The transcript certified by the trial judge as having been settled by the parties as provided for in either of the preceding sections shall be filed with the register of the trial court immediately upon such certification and there shall be filed there with the original typewritten copy of the stenographer's notes, and a fee of five dollars shall then be paid to said register. It shall then be the duty of such register to cause copies of all papers filed in the cause and of all reports and testimony returned by circuit court commissioners in the cause to be attached together and returned to the clerk of the Supreme Court within fifteen days after the fil-

ing with said register of said certified transcript and copy of the stenographer's notes, the said original typewritten copy of the stenographer's notes, the transcript certified by the trial judge or circuit court commissioner, as the case may be, and the copies hereinbefore required to be made of other papers filed in the cause, and thereupon the Supreme Court shall become possessed of the said cause, but the jurisdiction of the trial court shall continue for all purposes not connected with the hearing and determination of the appeal. In cases not heard or tried in open court, upon the filing of the claim of appeal, a fee of five dollars shall be paid to the register in chancery and it shall then be his duty to prepare a copy of all papers filed in the cause, together with the report of the commissioner and of testimony and exhibits returned by such commissioner, attach such copies together and return the same within fifteen days to the clerk of the Supreme Court, and thereupon the jurisdiction of the Supreme Court shall attach to the cause as hereinbefore provided for cases heard in open court. The record upon which the hearing shall be had in the Supreme Court shall consist of all papers filed in the cause, including the report of the commissioner, the exhibits and testimony taken before the commissioner which are returned to the Supreme Court by the register in cases which are not heard in open court; and in cases heard in open court in addition to all papers filed in the cause, shall consist of the transcript of the stenographer's notes as certified by the trial judge or circuit court commissioner as provided for in section three thereof, and such exhibits as may be certified into the transcript.

Cases not heard in open court; fee for filing.
Duty of register.

Record, of what to consist.

SEC. 6. The trial court or any judge thereof or the Supreme Court or any judge thereof may, upon cause shown and reasonable notice given, extend the time provided in this act for the preparation, filing or service of any papers herein provided to be prepared, filed or served: *Provided, That* the time shall not be extended for the taking or perfecting of any appeal so that more time may be consumed thereby than one year from the filing of the decree.

Extension of time by court or judge.

Proviso, one year.

This act is ordered to take immediate effect.

Approved June 28, 1907.

JOINT RESOLUTIONS, 1907.

[No. 1.]

A JOINT RESOLUTION authorizing and empowering the State Board of Agriculture to expend money in celebrating and commemorating the fiftieth anniversary of the founding of the State Agricultural College.

WHEREAS, The State Agricultural College was founded by an act of the legislature of eighteen hundred fifty-five, pursuant to the provision of the constitution of Michigan, and opened its doors to students fifty years ago the present year, being the first school to be established in the United States for the purpose of teaching agriculture; and

WHEREAS, This institution has amply justified the wisdom of its founders in making provision for this form of education in the State, and has served as the model upon which all the great state agricultural colleges have been built; and

WHEREAS, The State Board of Agriculture and the faculty of the college desire to appropriately commemorate this semi-centennial anniversary, an occasion so significant in its relation to the great educational and industrial interests of this country that the President of the United States has signified his wish and purpose to be present; therefore be it

Resolved by the Senate and House of Representatives of the State of Michigan, That the State Board of Agriculture is hereby authorized to expend out of the funds already appropriated to the State Agricultural College, such sum, not to exceed eight thousand dollars, as may, in its judgment, be necessary to defray the expenses that may be incurred in appropriately celebrating this occasion and in making such permanent records as may be deemed proper.

This joint resolution is ordered to take immediate effect.

Approved February 7, 1907.

[No. 2.]

JOINT RESOLUTION authorizing the Governor to issue a patent of certain lands to Thomas J. Andrews and Mary Jane Hurley.

WHEREAS, The records in the office of the Commissioner of the State Land Office disclose that certain primary school lands, represented by certificate number two thousand three hundred forty-three, were sold and the said certificate issued to one Thomas Anderson; that certain primary school lands, represented by certificate number four thousand seventy-eight, were sold and the said certificate issued to one Thomas Andrews; that certain primary school lands, represented by certificate number one thousand seven hundred fifty-nine, were sold and the said certificate issued to one Thomas Anderson; and

WHEREAS, It appears from certain affidavits made and executed by Thomas J. Andrews and Mary Jane Hurley that the said certificates numbers two thousand three hundred forty-three, four thousand seventy-eight and one thousand seven hundred fifty-nine were issued to the one and same person, viz: Thomas Andrews; and that certificates numbers two thousand three hundred forty-three and one thousand seven hundred fifty-nine were erroneously issued and made out in the name of Thomas Anderson, although the purchases were made by and the person to whom said certificates should have been issued was the said Thomas Andrews, who during his life time made various payments upon said lands, as appears by the receipts issued by the said Commissioner of the State Land Office; and

WHEREAS, It appears that the said Thomas Andrews is now deceased and that the said Thomas J. Andrews and Mary Jane Hurley have acquired all the right, title and interest of the said Thomas Andrews, deceased, in the lands represented by said certificates; and

WHEREAS, It appears that the said Thomas J. Andrews and Mary Jane Hurley have for a number of years paid the required sum, together with the interest thereon, remaining unpaid on the purchase price of said lands, and that the said Thomas J. Andrews and Mary Jane Hurley are the only persons who have any right, title or interest or claim of any character whatsoever in or to any interest, right or claim which the said Thomas J. Andrews, deceased, had in his lifetime to the said above described lands; and

WHEREAS, It appears that the said Thomas J. Andrews and Mary Jane Hurley are anxious and willing to pay to the Commissioner of the State Land Office all of the purchase price remaining unpaid, together with the interest thereon; that there is no means whereby even upon the payment of the said amount the said Commissioner of State Land Office could issue deeds of State lands to any other person than to Thomas Andrews, deceased, and Thomas Anderson, being one and the same person; that the Governor has no authority to issue patents in the name of any other person than that appearing in the certificate; that the said Thomas J. Andrews and Mary Jane Hurley are desirous of disposing of said lands, but cannot give a good title thereto for the reasons heretofore set forth; and

WHEREAS, The Governor is not authorized to execute patents of the

said lands to the said Thomas J. Andrews and Mary Jane Hurley, except under and by legislative authority; therefore be it

Resolved by the Senate and the House of Representatives of the State of Michigan, That the Governor is hereby directed, authorized and empowered to issue a patent of such lands to the said Thomas J. Andrews and Mary Jane Hurley, when presented with a proper certificate endorsed by the Commissioner of the State Land Office showing that the whole amount of principal and interest specified therein, together with the taxes, charges and interest levied upon the said lands, have been paid according to the law.

This joint resolution is ordered to take immediate effect.

Approved February 12, 1907.

[No. 3.]

JOINT RESOLUTION proposing an amendment to section six of article six of the constitution of the State of Michigan, relative to the compensation of circuit judges in the counties of Ingham and Jackson and in the judicial circuit in which the county of Isabella is or may be situated.

Resolved by the Senate and House of Representatives of the State of Michigan, That the following amendment to the constitution of this State be and the same hereby is proposed, that is to say, that section six of article six of said constitution be amended so as to read as follows:

ARTICLE VI.

SEC. 6. The State shall be divided into judicial circuits, in each of which the electors thereof shall elect one circuit judge who shall hold his office for the term of six years, and until his successor is elected and qualified. The legislature may provide for the election of more than one circuit judge in the judicial circuit in which the city of Detroit is or may be situated, and in the judicial circuit in which the county of Saginaw is or may be situated, and in the judicial circuit in which the county of Kent is or may be situated, and in the judicial circuit in which the county of St. Clair is or may be situated. And the circuit judge or judges of such circuits, in addition to the salary provided by the constitution, shall receive from their respective counties such additional salary as may from time to time be fixed and determined by the board of supervisors of said county. And the board of supervisors of each county in the Upper Peninsula, and in the counties of Bay, Washtenaw, Genesee, Ingham and Jackson and the counties in the judicial circuit in which the county of Isabella is or may be situated in the Lower Peninsula, is hereby authorized and empowered to give and to pay the cir-

cuit judge of the judicial circuit, to which said county is attached, such additional salary or compensation as may from time to time be fixed and determined by such board of supervisors. This section as amended shall take effect from the time of its adoption.

And be it further resolved, That said constitutional amendment shall be submitted to the people of the State at the election to be held on the first Monday in April in the year nineteen hundred seven, and that the Secretary of State is hereby required to certify the same to the clerks of the several counties, and give notice of the same to the sheriffs of the several counties of this State, and the said sheriffs of the several counties of the State shall be required to give notice of the same to the several townships and wards in said State, in the manner required by law, and the inspectors of election in the several townships and cities of this State shall prepare a suitable box for the reception of the ballots cast for or against said amendment, and the said amendment shall be printed upon the official ballot used at said election as provided by law, as follows:

“Amendment to the constitution relative to circuit courts, affecting only the counties of Ingham and Jackson and the counties in the judicial circuit in which the county of Isabella is or may be situated—Yes.”

“Amendment to the constitution relative to circuit courts, affecting only the counties of Ingham and Jackson and the counties in the judicial circuit in which the county of Isabella is or may be situated—No.”

Such ballots, so prepared, shall be sent out by said board of election commissioners at the same time and in the same manner as the ballots to be used at said general elections. And it shall be the duty of the board of election inspectors, at each voting precinct in this State, to see to it that each elector is furnished with a ballot relative to such proposed amendment, at the time that he is furnished with a general ballot and such elector shall return his ballot thereon to the election inspectors, who shall place the same in the box provided for that purpose. All votes cast therefor shall be taken, counted, canvassed and returned as provided by law for the election of State officers.

This joint resolution is ordered to take immediate effect.

[No. 4.]

JOINT RESOLUTION proposing an amendment to the constitution of this State, by so amending section ten of article ten as to provide for a board of county auditors for the counties of Bay, Cheboygan and St. Clair.

Resolved by the Senate and House of Representatives of the State of Michigan, That the following amendment to the constitution of this State be and the same is hereby proposed, that is to say, that section ten of article ten of said constitution be amended to read as follows:

ARTICLE X.

SEC. 10. The board of supervisors, or in the counties of Saginaw, Jackson, Washtenaw, Kent, Wayne, Genesee, Bay, Cheboygan and St. Clair the board of county auditors, shall have the exclusive power to fix the compensation for all services rendered for and to adjust all claims against their respective counties, and the sums so fixed and defined shall be subject to no appeal.

And be it further resolved, That said constitutional amendment shall be submitted to the people of the State at the election to be held on the first Monday of April, in the year nineteen hundred seven, and that the Secretary of State is hereby required to certify the same to the clerks of the several counties and give notice of the same to the sheriffs of the several counties in this State, and the said sheriffs of the several counties in this State shall be required to give notice of the same to the several townships and wards in said State, in the manner required by law, and the inspectors of election in the several townships and cities of this State shall prepare a suitable box for the reception of ballots cast for or against said amendment, and the said amendment shall be printed upon the official ballot used at said election, as provided by law, as follows:

“Amendment to the constitution providing for a board of county auditors for the counties of Bay, Cheboygan and St. Clair—Yes.”

“Amendment to the constitution providing for a board of county auditors for the counties of Bay, Cheboygan and St. Clair—No.”

Such ballots, so prepared, shall be sent out by said board of election commissioners at the same time and in the same manner as the ballots to be used at said general election. And it shall be the duty of the board of election inspectors, at each voting precinct in this State, to see to it that each elector is furnished with a ballot, relative to such proposed amendment, at the same time that he is furnished with a general ballot, and to inform such elector of the nature and purpose of it, and each elector shall be required, on coming out of the booth and tendering his vote to the inspectors of election, to produce and hand to such inspectors the ballot relating to such amendment, who shall place the same in the box prepared for that purpose. All votes cast therefor shall be taken, counted, canvassed and returned, as provided by law for the election of State officers.

This joint resolution is ordered to take immediate effect.

[No. 5.]

JOINT RESOLUTION to amend the constitution of this State by striking out section three of article eighteen, miscellaneous provisions, which provides that "No mechanical trade shall hereafter be taught to convicts in the State prison of this State, except the manufacture of those articles of which the chief supply for home consumption is imported from other states or countries."

Resolved by the Senate and the House of Representatives of the State of Michigan, That the constitution of this State be amended by striking therefrom section three of article eighteen, miscellaneous provisions, which provides that "No mechanical trade shall hereafter be taught to convicts in the State prison of this State, except for the manufacture of those articles of which the chief supply for home consumption is imported from other states or countries."

Said amendment shall be submitted to the people of this State at the general spring election to be held on the first day of April in the year nineteen hundred seven, and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties in the State, in the same manner that he is now required by law to give notice in case of an election of Governor and Lieutenant Governor, and the several sheriffs are hereby required to give notice hereof in the same manner that notices of elections are given under the provisions of the general election law.

The boards of election inspectors of the several townships and cities in this State shall prepare a suitable box for the reception of ballots cast for and against said amendment. Ballots containing this amendment shall be prepared and delivered to the respective boards of election inspectors by the certain boards or officers required to perform similar duties under the general election law.

The ballots to be used at such election shall have printed thereon the words "Amendment to the constitution relative to the teaching of a mechanical trade to convicts in the State prison of this State," and below and above upon the ballot shall be placed in separate lines the words "Yes" and "No" and to the left of each of these words shall be placed a square and each elector shall designate his vote by a cross placed in the square to the left of the word "Yes" or the word "No."

The manner of voting shall conform to the provisions of the general election law. The ballots shall in all respects be canvassed and returns made in the manner provided for the canvassing of returns in general elections of State officers.

This joint resolution is ordered to take immediate effect.

[No. 6.]

JOINT RESOLUTION to provide for the procuring and placing of a statue of Stevens T. Mason, first Governor of Michigan, at the place of his interment in Capital Park in the city of Detroit, Michigan.

Resolved by the Senate and House of Representatives of the State of Michigan, That the sum of ten thousand dollars be and the same is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the purpose of securing and causing to be erected a statue of Stevens T. Mason, at the place of his interment in Capital Park in the city of Detroit, State of Michigan; and be it further

Resolved, That a commission is hereby constituted to carry into effect the provisions of this resolution, which commission shall consist of three residents of the State of Michigan to be appointed by the Governor; said commissioners to receive no compensation for their services, but shall be paid their necessary and actual expenses as hereinafter provided; and be it further

Resolved, That said commission shall at once, upon its appointment by the Governor, proceed to carry into effect the provisions of this joint resolution by securing and causing to be erected a statue of Stevens T. Mason, first Governor of Michigan, at the place of his interment in Capital Park in the city of Detroit, State of Michigan, at a sum within the amount hereby appropriated; and be it further

Resolved, That the expense of erecting said monument and statue within the sum hereby appropriated shall be paid by the State Treasurer on warrants of the Auditor General upon presentation by the commission of itemized vouchers to be in form prescribed by the Auditor General:

Provided, That such necessary expense as may be incurred by the commission for postage, stationery, travel and other expenses incident to the erection of said monument and statue shall be paid by the State Treasurer out of any money not otherwise appropriated, upon warrants issued by the Auditor General for vouchers of the commission, or any member thereof, sworn to before some officer competent to administer oaths, when audited by the Board of State Auditors; and be it further

Resolved, That immediately upon the fulfillment of their duties, the said commission shall report to the Governor, giving an abstract of all expenditures, a brief history of its acts, together with such other information as in the opinion of the commission may be pertinent thereto; and be it further

Resolved, That the said sum of ten thousand dollars shall be added to and incorporated in the State tax for the year nineteen hundred seven by the Auditor General and shall be assessed, levied and collected and credited to the general fund to reimburse it for the sum hereby appropriated, but said ten thousand dollars shall not be drawn from the treasury before April first, nineteen hundred eight.

This joint resolution is ordered to take immediate effect.

Approved March 26, 1907.

[No. 7.]

JOINT RESOLUTION directing the Board of State Auditors to investigate and examine the claims of union soldiers in the war of the rebellion for bounties under the laws of this State.

Resolved by the Senate and House of Representatives of the State of Michigan. That the Board of State Auditors be and they are hereby authorized and required to investigate all claims made by any honorably discharged union soldier who served in the war of the rebellion, for any bounty provided for in or arising under any law of this State; and if the Board of State Auditors, upon investigation of the claim of any such honorably discharged soldier, shall determine that the claim is well founded in law and in fact, said board is hereby authorized and directed to draw its warrant on the State treasury for the payment of such amount as they shall find to be due and payable.

Approved March 26, 1907.

[No. 8.]

A JOINT RESOLUTION authorizing the Governor to issue a patent for the northeast quarter of the southwest quarter, section thirty, town eighteen north, range six west, to William Gaffney.

WHEREAS, The northeast quarter of the southwest quarter, section thirty, town eighteen north, range six west was deeded to the State as State tax homestead lands, on the fifteenth day of October, A. D., eighteen hundred ninety-seven; and

WHEREAS, Upon the thirty-first day of May, A. D., eighteen hundred ninety-eight homestead certificate for said land was duly issued to William Gaffney, who resided upon said land and improved the same as required by law and made final proof to the Commissioner of the State Land Office; and

WHEREAS, The Commissioner of the State Land Office, upon the twenty-second day of January, A. D., nineteen hundred four, duly executed, in behalf of the State of Michigan, to the said William Gaffney, a deed of said land; and

WHEREAS, After the execution of said deed to the said William Gaffney, by the Commissioner of the State Land Office, it was discovered that said land was State swamp land and included in the grant of such lands from the United States to the State of Michigan, although no patent therefor had been executed; and

WHEREAS, The said land was patented by the United States to the State of Michigan on the twenty-seventh day of March, A. D., nineteen hundred five; and

WHEREAS, Said William Gaffney is justly and equitably entitled to said land; now, therefore

Resolved by the Senate and House of Representatives of the State of Michigan, That the Governor be, and he is hereby authorized to execute a patent for the said northeast quarter of the southwest quarter, section thirty, town eighteen north, range six west, to the said William Gaffney.

This joint resolution is ordered to take immediate effect.

Approved March 27, 1907.

[No. 9.]

A JOINT RESOLUTION to authorize the Auditor General to issue a deed to the township of Deep River, Arenac county, for two certain lots of State tax lands for the use of said township.

WHEREAS, Lots five and six of block three of the recorded plat of the unincorporated village of Sterling, Arenac county, are held on the records of the Auditor General's department for unpaid taxes for the years of eighteen hundred eighty-five to nineteen hundred five, both inclusive; and

WHEREAS, Said described lots are not occupied and are useful only for the purposes of said township of Deep River, within the limits of which said unincorporated village of Sterling is located; now therefore

Resolved by the Senate and House of Representatives of the State of Michigan, That the Auditor General be, and he is hereby authorized and directed, in consideration of the sum of ten dollars to be paid to him by the said township of Deep River, to convey in the same manner and form as to an individual, the said above described lots, to the township board of the township of Deep River, Arenac county, and to their successors in office for the sole and only use, benefit and purposes of said township.

This joint resolution is ordered to take immediate effect.

Approved March 27, 1907.

[No. 10.]

A JOINT RESOLUTION to direct the Board of State Auditors to investigate, examine and settle the claim of Dwight G. F. Warner of Benzie county, Michigan, against the State of Michigan on account of legal services rendered in defending one Bert Spafford, Deputy State Game and Fish Warden, who was tried for murder in Benzie county, Michigan, during the month of September, nineteen hundred three; said services being rendered at the request of Hon. A. T. Bliss, the then Governor of the State of Michigan, and Charles H. Chapman, the State Game and Fish Warden of the State of Michigan.

WHEREAS, Said services so rendered were and should be a just claim against the State of Michigan in the sum of two hundred dollars, as shown by the bill presented to the Board of State Auditors; and

WHEREAS, The Board of State Auditors claim to have no authority to audit and allow said claim;

Resolved by the Senate and House of Representatives of the State of Michigan, That the Board of State Auditors be and is hereby directed to investigate and examine said claim, and if they find said services were rendered at the request of the then Governor of the State of Michigan and the State Game and Fish Warden of said State, and that said claim is reasonable and just for the services rendered, the said Board of State Auditors is hereby authorized and directed to allow the same, and the Auditor General is hereby authorized and directed to issue his warrant on the State treasury in favor of the said Dwight G. F. Warner for the amount so audited and allowed by the said Board of State Auditors, and the same shall be payable out of any money in the State treasury not otherwise appropriated.

This joint resolution is ordered to take immediate effect.

Approved April 30, 1907.

[No. 11.]

A JOINT RESOLUTION relative to the semi-centennial anniversary celebration of the State Agricultural College and making an appropriation therefor for a portion of the expenses of the Michigan National Guard in connection therewith.

WHEREAS, In the month of May, nineteen hundred seven, will occur the semi-centennial anniversary of the State Agricultural College of the State of Michigan; and

WHEREAS, The President of the United States has signified his wish and purpose to be present; and

WHEREAS, In appropriately celebrating this occasion it seems eminently fitting that the Michigan National Guard should be ordered to take part in said celebration; therefore be it

Resolved by the Senate and the House of Representatives of the State of Michigan, That the sum of one thousand dollars, or so much thereof as may be needed, is hereby appropriated out of any money in the State treasury not otherwise appropriated to defray such extra expense as shall be necessarily incurred in carrying into effect the provisions of this joint resolution, such expense to be certified by the Quartermaster General to the Board of State Auditors, and allowed by said board. The sum so allowed shall be paid from the State treasury on the warrant of the Auditor General: *Provided*, That in no event shall the State of Michigan be held responsible, or be made liable, for any sum in excess of the amount appropriated by this joint resolution.

This joint resolution is ordered to take immediate effect.

Approved May 22, 1907.

[No. 12.]

A JOINT RESOLUTION authorizing the Auditor General of the State of Michigan to deed to the village of Vassar in Tuscola county, Michigan, a certain parcel or description of land lying within the limits of such village.

WHEREAS, A parcel of land described as entire block twenty-one, except lots one, two, three, four, five, six and twenty-one rods, four feet off east end of said block in the village of Vassar, Tuscola county, Michigan, has been sold to the State of Michigan for State, county, village and other taxes, for the years eighteen hundred ninety-four to eighteen hundred ninety-nine inclusive, and returned delinquent for other years; and

WHEREAS, Said tract or parcel of land is vacant property desired by said village of Vassar to be used for village purposes, therefore, be it

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Auditor General of the State is hereby authorized, empowered and directed, upon the payment by said village of the sum of forty dollars to be applied on State tax, to deed said lands to the village of Vassar for the sole use and benefit of said village, without conferring power of sale.

This joint resolution is ordered to take immediate effect.

Approved May 29, 1907.

[No. 13.]

JOINT RESOLUTION to provide for the payment of transportation charges incurred by the Stevens T. Mason Monument Commission on the bronze donated by the United States government for the construction of a statue of Stevens T. Mason, first Governor of Michigan.

Resolved by the Senate and House of Representatives of the State of Michigan, That the Stevens T. Mason Monument Commission be and is hereby authorized to incur the expense of transporting the bronze, donated by the United States government for the construction of a statue of Stevens T. Mason, now at the United States arsenal, Rock Island, Illinois, to such point as shall be designated for the casting of such statue.

And be it further resolved, That the expense of such transportation shall be paid by the State treasurer, upon warrant issued by the Auditor General for voucher of the commission, when audited by the Board of State Auditors.

This joint resolution is ordered to take immediate effect.

Approved June 4, 1907.

[No. 14.]

JOINT RESOLUTION for the relief of George F. Edwards, in the employ of the State Industrial School, on account of the loss of a leg, caused by injuries received while in the discharge of his duty.

WHEREAS, George F. Edwards, of the city of Lansing, in the State of Michigan, an employe of the State Industrial School, was, on the eighteenth day of March, nineteen hundred five, while in the discharge of his duty as such employe and while carrying out the instructions given him by the superintendent of said school, injured by being run down by a passenger train, which injuries have since resulted in the loss of his leg, such injury being occasioned through no fault of his; therefore be it

Resolved, by the Senate and House of Representatives of the State of Michigan, That the State Board of Auditors be and they are hereby authorized to investigate the claim of said George F. Edwards, on the allowance of which the Auditor General shall issue his warrant in favor of said George F. Edwards for the amount thereof as allowed, payable out of the moneys in the State treasury not otherwise appropriated: *Provided,* That the amount allowed shall not exceed the sum of two thousand dollars.

This joint resolution is ordered to take immediate effect.

Approved June 4, 1907.

[No. 15.]

JOINT RESOLUTION authorizing the Auditor General of the State of Michigan to deed to the United States, for public purposes, certain land which lies within the territorial limits of Michigan, and which includes islands and accretions which have been formed by hydraulic dredging in the construction of the new channel at the St. Clair Flats canal.

WHEREAS, A plat of ground described as follows: Beginning at a point in the west channel line of the St. Clair Flats canal three hundred fifty feet from the line joining the upper and lower lights and two thousand one hundred feet distant from the upper light; running thence southwesterly along the west bank of the canal four thousand feet, thence northwesterly at right angles to the canal one thousand five hundred feet, thence northeasterly parallel to the canal four thousand feet, thence to the point of beginning, includes certain islands formed by the deposit of material removed in the construction of the new channel at the St. Clair Flats canal, Michigan; and

WHEREAS, It is deemed important that these islands and the accretions that may arise from such dredging in the maintenance of channels, should be in the possession and control of the federal government for public purposes; therefore be it

Resolved by the Senate and House of Representatives of the State of Michigan, That the Auditor General of the State of Michigan is hereby authorized, empowered and directed to deed said rectangular description of land to the United States for the purpose of vesting title to the area above described, in the United States for public purposes.

This joint resolution is ordered to take immediate effect.

Approved June 12, 1907.

[No. 16.]

A JOINT RESOLUTION for the relief of Patrick F. Dwyer, formerly a member of Company I, Third Infantry, Michigan National Guard.

WHEREAS, Patrick F. Dwyer, a member of Company I, Third Infantry, Michigan National Guard, while performing duty as such member on the eighth day of August, nineteen hundred five, while en route to the annual encampment of Michigan State troops at Ludington, in nineteen hundred five, was seriously injured by having his left arm broken while on duty, and acting under the orders of his superior officers, and through no fault or negligence of his own; therefore be it

Resolved by the Senate and House of Representatives of the State of Michigan, That the Board of State Auditors is hereby authorized to investigate, examine into and, if they see fit, audit and allow, in the fiscal year ending June thirty, nineteen hundred eight, the claim of

the said Patrick F. Dwyer. On such allowance the Auditor General shall issue his warrant in favor of said Patrick F. Dwyer for the amount so audited and allowed, payable out of any money in the State treasury not otherwise appropriated: *Provided*, That the claim of said Patrick F. Dwyer is presented within six months from the time this resolution shall take effect: *Provided, further*, That the amount allowed shall not exceed the sum of two hundred dollars.

This joint resolution is ordered to take immediate effect.

Approved June 12, 1907.

[No. 17.]

JOINT RESOLUTION directing the disposition of the manufactured products of the Michigan Employment Institution for the Blind.

WHEREAS, The ability to make articles for sale by the inmates of the Michigan Employment Institution for the Blind is necessarily limited by reason of the disability of such inmates, and this limited product of their hands must find a market in order to keep such inmates employed and make this institution perpetually serve the purposes for which it was created, therefore be it

Resolved, by the Senate and House of Representatives of the State of Michigan, That the various institutions of this State, under the control and management of State boards, be required to purchase, so far as the articles may be furnished promptly, and not otherwise, from the Michigan Employment Institution for the Blind such brooms and other articles made at the said Michigan Employment Institution for the Blind as are required for their several uses, but at a price fixed by the managing officer of the Michigan Employment Institution for the Blind, not exceeding the current wholesale price of such articles.

This joint resolution is ordered to take immediate effect.

Approved June 17, 1907.

[No. 18.]

A JOINT RESOLUTION authorizing the Governor to issue a patent of certain lands to Ambrose Haines.

WHEREAS, On the twenty-fourth day of May, eighteen hundred fifty-three, the Commissioner of the State Land Office issued to Daniel H. Haines, primary school land certificate number four thousand thirteen for a certain parcel of land known and described as the northeast quarter of the northeast quarter of section number sixteen in township number ten north of range number seven east, containing forty acres; and

WHEREAS, It appears that the said primary school land certificate number four thousand thirteen was assigned to Ambrose Haines, who is the sole owner of the lands described in said certificate, and who has been in possession of said lands for over forty years; and

WHEREAS, It appears that there are no rights or claims against said described lands other than those of the said Ambrose Haines, except such claims as the State of Michigan may have for any unpaid principal and interest thereon; and

WHEREAS, The Governor is without authority to issue a patent to said Ambrose Haines for said lands without express authority so to do; therefore be it

Resolved by the Senate and the House of Representatives of the State of Michigan, That the Governor be and is hereby authorized and empowered to execute and deliver to said Ambrose Haines a patent for said lands described in primary school land certificate number four thousand thirteen, upon being presented with a certificate from the State Land Office stating that the unpaid principal and interest thereon owing for said lands, has been paid.

This joint resolution is ordered to take immediate effect.

Approved June 17, 1907.

[No. 19.]

A JOINT RESOLUTION to direct the Board of State Auditors to investigate, examine and settle the claims of the Hillsdale County Telephone Company (incorporated) and the Camden Rural Telephone Company (incorporated) against the State of Michigan on account of taxes paid by said companies into the State treasury in the year nineteen hundred six in excess of the amounts required by law.

WHEREAS, It appears that the Hillsdale County Telephone Company in and for the year nineteen hundred six paid a State tax of one hundred fourteen dollars and twenty-seven cents, the same being assessed at the rate of three per cent on gross receipts amounting to three thousand eight hundred nine dollars, and the Camden Rural Telephone Company in and for the year nineteen hundred six paid a State tax of ninety-six dollars and thirty-one cents, the same being assessed at the rate of three per cent on gross receipts amounting to three thousand two hundred ten dollars; and

WHEREAS, The said telephone companies are mutual co-operative companies and their gross receipts included sale of stock and assessments for running expenses not subject to tax; therefore

Resolved by the Senate and the House of Representatives of the State of Michigan, That the Board of State Auditors be and is hereby directed to investigate and examine the said claims of said companies, and if the said taxes collected were in excess of the amounts required by law the said Board of State Auditors is hereby authorized and directed to adjust the said claim by a refund of the amount found to have

been overpaid and the Auditor General is hereby authorized and directed to issue his warrants on the State treasury in favor of the said Hillsdale County Telephone Company, and the Camden Rural Telephone Company, for the amounts so audited and allowed by the said Board of State Auditors, and the same shall be payable out of any money in the State treasury not otherwise appropriated.

Approved June 18, 1907.

[No. 20.]

A JOINT RESOLUTION authorizing the Commissioner of the State Land Office to deed to Amos E. Steele, post number two hundred eighty, Department of Michigan, G. A. R., of the city of North Muskegon, Muskegon county, Michigan, certain parcels of land described as lots twenty-nine and thirty of the Muskegon Booming Company's addition to the city of North Muskegon, on payment to him of the appraised value of said lots.

WHEREAS. Certain parcels of lands described as lots twenty-nine and thirty of the Muskegon Booming Company's addition to the city of North Muskegon, Muskegon county, Michigan, have been deeded to the State of Michigan by the Auditor General of said State under the provisions of section one hundred twenty-seven of act number two hundred six of the public acts for the year eighteen hundred ninety-three, as amended by act number one hundred seven of the public acts of eighteen hundred ninety-nine; and,

WHEREAS. Amos E. Steele, post number two hundred eighty, Department of Michigan, G. A. R., is maintaining a park in the city of North Muskegon for the benefit of the public on lots twenty-five, twenty-six, twenty-seven and twenty-eight of the Muskegon Booming Company's addition to the city of North Muskegon, and for the purpose of enlarging said park desires to purchase of the State of Michigan, at their appraised value, lots twenty-nine and thirty of said Muskegon Booming Company's addition;

Be it Resolved, by the Senate and House of Representatives of the State of Michigan, That the Commissioner of the State Land Office is hereby authorized, empowered and directed upon the payment by said Amos E. Steele, post number two hundred eighty, of the appraised value of said lots, to deed the same to said Amos E. Steele, post number two hundred eighty.

This joint resolution is ordered to take immediate effect.

Approved June 19, 1907.

[No. 21.]

A JOINT RESOLUTION for the sale of certain land to the board of public schools of the city of Harrison, Michigan.

WHEREAS, The following described lot or piece of land in the city of Harrison, Michigan, to-wit: Commencing at the southeast corner of block twelve of Wilson's addition to the village now city of Harrison, thence running north sixty and three-fourths degrees east, sixty-six feet, thence running north twenty-nine and one-fourth degrees west one hundred ninety-two feet to place of beginning. Thence running north twenty-nine and one-fourth degrees west twenty-four feet, thence running north sixty and three-fourths degrees east forty-five feet, thence running south twenty-nine and one-fourth degrees east twenty-four feet, thence running south sixty and three-fourths degrees west forty-five feet to place of beginning, is held on the books of the Auditor General as State tax land, the taxes thereon being unpaid; and

WHEREAS, The board of public schools of the city of Harrison, Michigan, is desirous of obtaining said land as above described for school purposes; now therefore be it

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Auditor General be and he is hereby authorized to sell to the said board of public schools of the city of Harrison, Michigan, said piece of land as above described at the price of and for the consideration of the payment of State tax due thereon, and that said Auditor General issue a deed therefor to said board of public schools of the city of Harrison.

This act is ordered to take immediate effect.

Approved June 24, 1907.

[No. 22.]

A JOINT RESOLUTION authorizing the Auditor General to cancel taxes on vacated plat in the village of Meredith.

WHEREAS, Under the provisions of local act number three hundred seventy-six of the laws of eighteen hundred ninety-nine, plats of all the Meredith Land & Improvement Company's additions "A" and "B" to the village of Meredith were vacated and direction given under the act of vacation to assess the lands covered by such plats, without reference thereto, according to the government survey as nearly as possible; and

WHEREAS, There are taxes of eighteen hundred ninety-three remaining on the books of the Auditor General's office charged against the lots as described in said additions, that cannot be definitely located as a part of the government subdivision; and

WHEREAS, The tax lien cannot be enforced by reason of the vacation of the plats as above specified; now, therefore,

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Auditor General be authorized to cancel the taxes remaining undischarged upon his books assessed against lots in plat of the Meredith Land & Improvement Company's additions "A" and "B" to the village of Meredith without charging to the county of Clare the amount of any such taxes, interest or charges; that upon such cancellation all such taxes shall be and remain fully discharged and extinguished.

Approved June 27, 1907.

[No. 23.]

A JOINT RESOLUTION authorizing the Auditor General of the State of Michigan to deed to the village of Rockford, Kent county, Michigan, a certain parcel of land described as the south half of lot one hundred five in the village of Rockford, for village park purposes.

WHEREAS, A parcel of land described as the south half of lot one hundred five in the village of Rockford, Kent county, Michigan, has been sold to the State of Michigan, for delinquent State, county, village and other taxes, for the years eighteen hundred eighty-eight to nineteen hundred four inclusive and returned delinquent for all subsequent years; and

WHEREAS, Said half lot is vacant property and it is desired to obtain possession of said property for the purpose of using same for a village park, therefore, be it

Resolved by the Senate and House of Representatives of the State of Michigan, That the Auditor General of the State of Michigan is hereby authorized, empowered and directed, upon the payment by said village, of the sum of twenty-five dollars in payment of State taxes, to deed said land to the village of Rockford, for the sole use and benefit of said village for park purposes.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 24.]

A JOINT RESOLUTION authorizing the Governor of the State of Michigan to issue a patent for certain lands.

WHEREAS, Andrew Frandsen purchased lot number one of section three, town ten north of range nine west, according to the government survey of the State of Michigan in eighteen hundred ninety-one, paying therefor the value of said land; and,

WHEREAS, He has resided thereon since said date; and

WHEREAS, A patent has never been issued for said lands although the State sold said lands for taxes, December fourth, eighteen hundred sixty-three; and

WHEREAS, The said Andrew Frandsen holds under said tax sale; therefore

Resolved by the Senate and House of Representatives of the State of Michigan, That the Governor of the State of Michigan be and he is hereby authorized to issue to the said Andrew Frandsen a patent for lot number one of section three, town ten north of range nine west, according to the government survey of the State of Michigan.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 25.]

A JOINT RESOLUTION authorizing the Governor to issue a patent of certain lands to Charles H. Watson.

WHEREAS, On the ninth day of May, eighteen hundred ninety-six, the Commissioner of the State Land Office issued to Robert B. Sunderland, primary school land certificate number twenty-four thousand nine hundred fourteen for a certain parcel of land known and described as the south half of the southwest quarter of section number sixteen in township number forty-four north of range number thirty-three west, in the county of Iron and State of Michigan, containing eighty acres; and

WHEREAS, It appears that the said primary school land certificate number twenty-four thousand nine hundred fourteen was assigned and all the right and title in and to said land of said Sunderland has been by mesne conveyance deeded to Charles H. Watson, of Iron county, Michigan, and that said Watson is the sole owner of the lands described in said certificate; and

WHEREAS, It appears that there are no rights or claims against said described lands other than those of the said Charles H. Watson, except such claims as the State of Michigan may have for any unpaid principal and interest thereon; and

WHEREAS, The Governor is without authority to issue a patent to said Charles H. Watson for said lands without express authority so to do; therefore be it

Resolved by the Senate and the House of Representatives of the State of Michigan, That the Governor be and is hereby authorized and empowered to execute and deliver to said Charles H. Watson a patent for said lands, described in primary school land certificate number twenty-four thousand nine hundred fourteen, upon being presented with a certificate from the State Land Office stating that the unpaid principal and interest thereon owing for said lands has been paid.

This act is ordered to take immediate effect.

Approved June 27, 1907.

[No. 26.]

A JOINT RESOLUTION providing for the dedication of the monument to be erected at Capital Park in the city of Detroit, Michigan, to the memory of Stevens Thomson Mason, first Governor of Michigan.

Resolved by the Senate and House of Representatives of the State of Michigan, That the Governor and his military staff, the president of the senate, the speaker of the house of representatives and a committee of three from the senate and six from the house, to be appointed by the president of the senate and speaker of the house, respectively, are hereby directed to represent the people of the State of Michigan, and are hereby authorized to accept in the name of the State the monument and statue to be erected in Capital Park in the city of Detroit, Michigan, to the memory of Stevens T. Mason, first Governor of the State, when the same shall have been completed by the commission provided for by joint resolution number forty-three of the session of nineteen hundred seven, and to participate in the dedicatory exercises of said monument; and be it further

Resolved, That the necessary and actual traveling and maintenance expenses of said committee shall be paid from the general fund of the State, on vouchers and bills properly sworn to, to be audited and allowed by the Board of State Auditors; and be it further

Resolved, That the commission heretofore appointed for the erection of said monument be and it is hereby authorized to make provision for the suitable dedication thereof, and that the expense thereof shall be paid from the general fund of the State on vouchers and bills properly sworn to, to be audited and allowed by the Board of State Auditors: *Provided,* That said commission shall not contract for or expend for the purposes of said dedication to exceed the sum of five hundred dollars.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 27.]

A JOINT RESOLUTION authorizing the Auditor General to transfer the fund to the credit of the Western Michigan Normal School for the purpose of installing a ventilating system to a fund for the erection of an approach to the main entrance of said institution.

WHEREAS, The legislature of nineteen hundred seven appropriated three thousand five hundred dollars for the Western Michigan Normal School for the purpose of installing a ventilating system, and

WHEREAS, No provision has been made for the erection of an approach to the main entrance of said institution; therefore

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Auditor General is hereby authorized to transfer the said sum of three thousand five hundred dollars to the fund for the erection of an approach to the main entrance of said institution.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 28.]

A JOINT RESOLUTION authorizing the Auditor General to transfer the fund to the credit of the Northern Michigan Asylum for the Insane for a telephone system to the fire protection fund of said institution.

WHEREAS, The legislature of nineteen hundred five appropriated one thousand dollars for the Northern Michigan Asylum for the Insane for a telephone system; and

WHEREAS, The board of trustees of said institution did not use said appropriation, but obtained service from the Michigan Telephone Company; therefore,

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Auditor General is hereby authorized to transfer the said one thousand dollars to the fund for the increase of fire protection for the said Northern Michigan Asylum for the Insane.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 29.]

JOINT RESOLUTION authorizing the Governor to issue a patent of certain lands to the county of Houghton.

WHEREAS, It appears that an error was made in describing the lands conveyed by patent number twelve thousand eight hundred twenty-nine, recorded on page five hundred twenty-three of liber twenty-one of patents in the office of the Secretary of State; and

WHEREAS, The said lands described in the said patent number twelve thousand eight hundred twenty-nine are not such lands as the said county of Houghton is entitled to under authority of law; and

WHEREAS, Neither the Governor nor any other State official has any authority to correct the error appearing upon the record, therefore be it

Resolved, by the Senate and the House of Representatives of the State of Michigan, That the Governor be directed, authorized and empowered,

to correct the error appearing in such patent number twelve thousand eight hundred twenty-nine, by issuing a patent to Houghton county for the west one-half of the southeast one-quarter of section two, town fifty-two north, range thirty-five west.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 30.]

JOINT RESOLUTION authorizing the Governor to issue a patent of certain lands to Loren L. Richmond.

WHEREAS, On the twelfth day of October, eighteen hundred forty-seven, the Commissioner of the State Land Office issued to one Lewis M. Covert, upon his application, primary school land certificate number two thousand two hundred nineteen for a certain parcel of land known and described as the southeast quarter of the southeast quarter of section number sixteen, town number three north of range number nine east, containing forty acres; and

WHEREAS, The said Lewis M. Covert subsequently attempted to convey and assign all his right, title and interest in and to the said lands to one Edward Richmond, which assignment is not in accordance with the laws regulating the same; and

WHEREAS, It appears that the said Loren L. Richmond is entitled to all of the right, title, and interest in and to said lands attempted to be assigned and conveyed to the said Edward Richmond, and that the said Loren L. Richmond is legally entitled to the title and ownership of said lands; and

WHEREAS, There is no authority vested in the Governor nor any other State officer to issue a patent to said Loren L. Richmond of said lands except under and by virtue of legislative authority; therefore be it

Resolved, by the Senate and House of Representatives of the State of Michigan, That the Governor be and is hereby authorized and directed to execute and deliver to said Loren L. Richmond a patent for the said lands hereinbefore described, upon the filing in his office of a statement or certificate from the Commissioner of the State Land Office showing that all of the purchase price and the interest thereon has been paid.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 31.]

JOINT RESOLUTION relative to the semi-centennial celebration of the city of Saginaw, including the participation of the Michigan National Guard in the same, and other purposes connected therewith, and making an appropriation therefor.

WHEREAS, In the month of August, nineteen hundred seven, will occur the completion of a half century since the incorporation by the legislature of the city of Saginaw; and

WHEREAS, During that period, said city has developed into one of Michigan's most important cities; therefore

Resolved, by the Senate and House of Representatives, That the State of Michigan will most cordially cooperate with the city of Saginaw in rendering such celebration a notable event in the history of the State:

First, By participation therein of the Michigan National Guard and Naval Reserves;

Second, By such arrangements as shall be deemed appropriate for a State display, that may be of historical interest in connection with said semi-centennial celebration; and be it further

Resolved, That the sum of twenty-nine hundred dollars be and the same is hereby appropriated out of any money in the State treasury, not otherwise appropriated, to defray such expenses as shall be necessarily incurred in carrying into effect the provisions of this joint resolution, such expenses to be certified by the State Military Board to the Board of State Auditors and allowed by them. The sum so allowed shall be paid from the State treasury on the warrant of the Auditor General, and charged to the appropriation hereby made: *Provided*, That in no event shall the State of Michigan be held responsible or be made liable for any sum in excess of the amount appropriated by this joint resolution: *Provided further*, That the Auditor General shall incorporate in the State tax for the year nineteen hundred seven, the sum of twenty-nine hundred dollars, which, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 32.]

JOINT RESOLUTION for the relief of Lawrence J. Cramer.

WHEREAS, Lawrence J. Cramer, of Bay City, Michigan, being the owner of lot one, block one, C. E. Jennison's second addition to Bay City, Bay county, Michigan, and in pursuance of his purpose to pay all unpaid taxes thereon, under local acts of the legislature of nineteen hundred one, number four hundred eighty-six, known as the "Willis

act," did, by his agent Richard G. Carney, pay to the county treasurer, by purchase at the annual tax sales in nineteen hundred two, all taxes for which said land was offered on the State tax land list and tax record, said sale being for the taxes of eighteen hundred eighty-four to eighteen hundred ninety inclusive, and eighteen hundred ninety-five to eighteen hundred ninety-eight inclusive, and did immediately thereafter pay all other unpaid taxes on said land, in accordance with the statement at that time made by the said county treasurer to said Carney, that said amounts so paid, settled all unpaid taxes on said land; and

WHEREAS, Said statement was incorrect in omitting certain taxes of eighteen hundred ninety-one, eighteen hundred ninety-two, eighteen hundred ninety-three and eighteen hundred ninety-four respectfully [respectively], on said land, which were payable to the Auditor General at the time when said Cramer applied for said statement of all unpaid taxes; and

WHEREAS, Said Cramer had tendered to the Auditor General in discharge of said taxes, without delay after the discovery of said omission, the amount which he would have paid for the State and county taxes at the time of said sale; therefore be it

Resolved by the Senate and the House of Representatives of the State of Michigan, That the Auditor General be, and he is hereby authorized and directed on receipt of twenty-three dollars and two cents from said Cramer, to issue to said Cramer receipt for said taxes as under the provisions of said act number four hundred eighty-six of local acts of the session of the legislature of nineteen hundred one, and to cancel any and all sales to the State or otherwise, of said land for said taxes, in accordance with the application made to the Auditor General by said Cramer on January nine, nineteen hundred seven.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 33.]

JOINT RESOLUTION to provide for the purchase, placing and presentation of a suitable silver service and appropriate flags for the U. S. S. "Michigan," now in course of construction by the U. S. Navy Department, and to make an appropriation therefor.

WHEREAS, The Secretary of the United States Navy has ordered that a battleship now in course of construction at the U. S. navy yards, be named after the State of Michigan; and

WHEREAS, The people of the State of Michigan fully appreciate the honor thus conferred upon their State; therefore be it

Resolved, by the Senate and House of Representatives of the State of Michigan, That the sum of seven thousand dollars be and the same is hereby appropriated out of any money in the State treasury not otherwise appropriated, for the purpose of purchasing a silver service of suitable and appropriate design, two ship flags, to be presented to the battleship "Michigan" on the occasion of the launching of the said battleship;

And be it further resolved, That the Governor shall appoint a commission consisting of as many members as he shall deem advisable to carry into effect the provisions of this resolution, and to represent the State of Michigan on the occasion of the launching of the said battleship "Michigan," and the Governor is hereby constituted a member of said commission. The said commission shall receive no compensation for their services except that they shall be paid all necessary and actual expenses as hereinafter provided;

And be it further resolved, That the said commission shall, immediately after its appointment, meet and organize by electing the necessary officers of said commission, consisting of president and secretary, and shall arrange to carry into effect the provisions of the joint resolution by purchasing and presenting to said United States battleship "Michigan" the suitable silver service provided for in this resolution; and

Be it further resolved, That expense of purchasing and placing said silver service on the said battleship "Michigan" within the sum hereby appropriated, including all necessary expenses for its delivery and presentation including the necessary flag, shall be paid by the State Treasurer upon warrants of the Auditor General, upon presentation by the commission of itemized vouchers approved by the president and secretary of said commission: *Provided*, That such necessary expense as may be incurred by the commission for postage, stationery, travel and other expenses, incident to the duties of said commission, shall be paid by the State Treasurer out of any money not otherwise appropriated, upon warrants issued by the Auditor General for vouchers of the commission through its president and secretary when audited by the Board of State Auditors: *Provided, however*, That no expense will be allowed the members of said commission for travel, except for one trip from the State of Michigan to the navy yards where said battleship is to be launched and on the occasion of such launching and presentation;

And be it further resolved, That immediately upon the fulfillment of their duties the said commission shall make a report to the Governor, giving a history of its work and statement of all expenditures: *Provided*, That in no event or account shall the State of Michigan or the commission created by this joint resolution be held responsible or be made liable for any sum in excess of the amount appropriated by the joint resolution.

This joint resolution is ordered to take immediate effect.

Approved June 27, 1907.

[No. 34.]

JOINT RESOLUTION proposing an amendment to section ten of article fourteen of the constitution, relative to the taxation of property by a State Board of Assessors, and providing for the submission of the same to the people of the State.

Resolved, by the Senate and House of Representatives, That the following amendment to section ten of article fourteen of the constitution,

relative to the taxation of property by a State Board of Assessors, is hereby proposed and submitted to the people of the State.

SEC. 10. The State may continue to collect all specific taxes accruing to the treasury under existing laws. The legislature may provide for the collection of specific taxes from corporations. The legislature may provide for the assessment of the property of corporations, and the property, by whomsoever owned, operated or conducted, engaged in the business of transporting passengers and freight, transporting property by express, operating any union station or depot, transmitting messages by telephone or telegraph, loaning cars, operating refrigerator cars, fast freight lines or other car lines, and running or operating cars in any manner upon railroads, or engaged in any other similar business, at its true cash value, by a State Board of Assessors, and for the levying and collection of taxes thereon. All taxes thereafter levied on the property of such classes of corporations as are paying specific taxes under laws in force on November six, nineteen hundred, shall be applied as provided for specific State taxes in section one of this article.

Be it further Resolved, That the foregoing amendment be submitted to the people of this State at the election to be held upon the first Monday of April in the year nineteen hundred eight. The Secretary of State is hereby required to certify the foregoing amendment to the clerks of the several counties of the State, as required by law. It shall be the duty of the board of election commissioners of each county to prepare a ballot for the use of the electors in voting upon said amendment, which ballot shall be in substantially the following form:

At the top of each ballot shall be printed, in boldfaced type, the words:

“Vote on amendment to section ten, article fourteen of the constitution, relative to the taxation of property by a State Board of Assessors.”

Then shall follow:

“Amendment to section ten, article fourteen of the constitution, relative to the taxation of property by a State Board of Assessors,
() Yes.

Amendment to section ten of article fourteen of the constitution, relative to the taxation of property by a State Board of Assessors,
() No.

It shall be the duty of the board of election commissioners of each county to deliver the ballots so prepared to the inspectors of election, at the several voting precincts within their respective counties, within the time ballots to be used at said election are required to be delivered, to such inspectors under the general election law. All votes cast upon said amendment shall be counted, canvassed and returned in the same manner as is provided by law for counting, canvassing and returning the vote for State officers.

This joint resolution is ordered to take immediate effect.

CONCURRENT RESOLUTIONS, 1907.

[No. 1.]

CONCURRENT RESOLUTION submitting to a vote of the people the question of nomination of United States Senator, Governor and Lieutenant Governor by direct vote of the electors. (a)

Resolved by the Senate the House of Representatives concurring, That there shall be submitted to the people of the State of Michigan at the election to be held on the seventeenth day of September, nineteen hundred seven, for choosing delegates to the constitutional convention, the question of nomination by direct vote of the qualified electors of the State, of United States Senator, Governor, Lieutenant Governor, the candidate of any party receiving the highest number of votes of such party for either of said offices to be the candidate of such party for such office, and the Secretary of State is hereby required to certify the same to the clerks of the several counties, and give notice of the same to the sheriffs of the several counties of this State, and the sheriffs of the several counties of this State shall be required to give notice of the same to the several townships and wards in said State, in the manner required by law, and the said question shall be printed upon a separate ballot used at said election, as follows;

“For nomination of United States Senator by direct vote of the electors, () Yes.”

“For nomination of United States Senator by direct vote of the electors, () No.”

“For nomination of Governor by direct vote of the electors, () Yes.”

“For nomination of Governor by direct vote of the electors, () No.”

“For nomination of Lieutenant Governor by direct vote of the electors, () Yes.”

“For nomination of Lieutenant Governor by direct vote of the electors, () No.”

Such ballots so prepared shall be sent out by the board of election commissioners at the same time as the ballots to be used at said election.

All votes cast on said question shall be taken, counted, canvassed and returned as provided by law for the election of State officers.

Approved June 28, 1907.

(a) Held, not adopted by a majority vote of the senate and void.—*Kelley v. Secretary of State*, D. L. N., Vol. 14, p. 351. Opinion filed July 15, 1907.

[No. 2.]

CONCURRENT RESOLUTION directing the Governor to appoint a commission.

Resolved by the Senate the House of Representatives concurring, That the Governor be and he is hereby directed to appoint a commission of three citizens of Michigan, on or before the first day of January, nineteen hundred eight, to which commission shall be referred the entire subject of an addition to the capitol building. The commission shall have power and authority to employ an architect, or architects, to prepare plans for such capitol addition or annex, and shall also advertise for bids for the construction of such capitol addition to the end that the commission may make a report to the next session of the legislature of the actual cost of such structure; and be it further

Resolved, That the commission shall also appraise the State property at the corner of Washington avenue and Allegan street and report to the next legislature such appraisal and the advisability of disposing of the same, the proceeds from such sale to be turned into a capitol building fund when the same is created.

And be it further resolved, That the members of the commission shall receive their actual and necessary expenses, all bills incurred by the commission to be audited and allowed by the State Board of Auditors.

Approved June 28, 1907.

AMENDMENTS TO THE CONSTITUTION.

Amendment to the constitution "relative to circuit courts," proposed by the legislature of nineteen hundred seven, and ratified and approved by the people at the April election of nineteen hundred seven.

ARTICLE VI.

SEC. 6. The State shall be divided into judicial circuits, in each of which the electors thereof shall elect one circuit judge who shall hold his office for the term of six years, and until his successor is elected and qualified. The legislature may provide for the election of more than one circuit judge in the judicial circuit in which the city of Detroit is or may be situated, and in the judicial circuit in which the county of Saginaw is or may be situated, and in the judicial circuit in which the county of Kent is or may be situated, and in the judicial circuit in which the county of St. Clair is or may be situated. And the circuit judge or judges of such circuits, in addition to the salary provided by the constitution, shall receive from their respective counties such additional salary as may from time to time be fixed and determined by the board of supervisors of said county. And the board of supervisors of each county in the Upper Peninsula, and in the counties of Bay, Washtenaw, Genesee, Ingham and Jackson and the counties in the judicial circuit in which the county of Isabella is or may be situated in the Lower Peninsula, is hereby authorized and empowered to give and to pay the circuit judge of the judicial circuit, to which said county is attached, such additional salary or compensation as may from time to time be fixed and determined by such board of supervisors. This section as amended shall take effect from the time of its adoption.

Amendment to the constitution "relative to the board of county auditors in the counties of Saginaw, Jackson, Washtenaw, Kent, Wayne, Genesee, Bay, Cheboygan and St. Clair," proposed by the legislature of nineteen hundred seven, and ratified and approved by the people at the April election of nineteen hundred seven.

ARTICLE X.

Sec. 10. The board of supervisors, or in the counties of Saginaw, Jackson, Washtenaw, Kent, Wayne, Genesee, Bay, Cheboygan and St. Clair the board of county auditors, shall have the exclusive power to fix the compensation for all services rendered for and to adjust all claims against their respective counties, and the sums so fixed and defined shall be subject to no appeal.

Amendment to the constitution by striking out section "relative to the teaching of mechanical trades to convicts in the State prison of this State," proposed by the legislature of nineteen hundred seven, and ratified and approved by the people at the April election of nineteen hundred seven.

ARTICLE XVIII.

Sec. 3. Stricken out.

CERTIFICATE.

MICHIGAN
DEPARTMENT OF STATE
LANSING.

I, George A. Prescott, Secretary of State of the State of Michigan, do hereby certify that the date of the final adjournment of the legislature of one thousand nine hundred seven was on the twenty-ninth day of June, in the year of our Lord, one thousand nine hundred seven.

[L. s.] IN WITNESS WHEREOF, I have hereunto affixed my signature and the great seal of the State, at Lansing, this fourteenth day of August, in the year of our Lord, nineteen hundred seven.

GEORGE A. PRESCOTT,
Secretary of State.

APPENDIX

CONTAINING

STATE TREASURER'S ANNUAL REPORT

FOR THE FISCAL YEAR ENDING JUNE 30, 1907.

REPORT
OF THE
TREASURER OF THE STATE OF MICHIGAN.

STATE OF MICHIGAN,
TREASURY DEPARTMENT,
Lansing, July 1, 1907. }

Hon. Fred M. Warner, Governor, Lansing, Mich.:

SIR—I have the honor to submit herewith the following report exhibiting the transactions of this department for the fiscal year ending June 30, 1907.

Balance on hand July 1, 1906.....	\$11,739,502 67
Total receipts	9,221,707 66
	<hr/>
	\$20,961,210 33
Disbursements	14,172,343 27
	<hr/>
Balance on hand June 30, 1907.....	<u>\$6,788,867 06</u>

Which corresponds with the amount charged this office, as appears by the following letter of the Auditor General.

Very respectfully,
FRANK P. GLAZIER,
State Treasurer.

STATE OF MICHIGAN,
AUDITOR GENERAL'S DEPARTMENT,
Lansing, July 1, 1907. }

Hon. Frank P. Glazier, State Treasurer, Lansing, Michigan:

Sir—I hereby certify that the cash balance charged the State Treasurer as being in his hands at the close of business June 30, 1907, was Six Million, Seven Hundred Eighty-eight Thousand, Eight Hundred Sixty-seven Dollars and Six Cents, (\$6,788,867.06), as appears by the books of this department.

Very respectfully,
JAMES B. BRADLEY,
Auditor General.

The following statement from the general and auxiliary ledgers gives the condition of the several trust funds, etc.

Credit—	
General Fund	\$1,786,195 96
Primary School Interest Fund.....	4,656,828 71
Agricultural College Interest Fund.....	12 33
University Interest Fund.....	9,718 78
Sundry Deposits Account	366,095 93
War Fund	245 00
Normal School Interest Funds	2,104 35
	<u>\$6,821,201 06</u>
Debit—	
Suspense Account	\$32,334 00
Cash on hand	6,788,867 06
	<u>\$6,821,201 06</u>

TRUST FUNDS.

Agricultural College Fund.....	\$977,727 49
Normal School Fund	68,811 79
Primary School Fund (7%).....	4,256,006 55
Primary School Fund (5%)	963,751 97
University Fund	544,244 40
	<u>\$6,810,542 20</u>

UNIVERSITY DEPOSIT (TREADWELL) FUND.

Legacy Adah Z. Treadwell, interest on same to be expended annually for support of free bed in University Hospital for some poor and deserving patient.....	<u>\$2,000 00</u>
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The following statements give the receipts and payments in detail:

General Fund.

RECEIPTS.

Balance, July 1, 1906.....		\$11,003,792 08
Taxes, etc.—		
From Auditor General's Office—		
Delinquent taxes	\$74,801 59	
Redemptions	16,719 26	
State tax lands	276,276 98	
Tax histories, statement and deeds.....	4,248 21	
		372,046 04
From County Treasurers—		
Proceeds of tax sales.....	\$101 80	
Under new tax law.....	3,737,785 60	
Under old tax law.....	7,301 66	
		3,745,189 06
From—		
Express companies.....	\$17,248 17	
Freight, refrigerator and car loaning companies	5,355 84	
Railroad companies	3,385,132 20	
Sleeping car companies	7,410 42	
		3,415,146 63
Fees, Licenses, etc.—		
Attorney General—		
Approval fees from insurance companies.....	\$100 00	
Auditor General—		
Plats filed	233 00	
Deer licenses	17,278 28	
Adjutant General—		
"Michigan in the War," sale of.....	26 00	
Board of Geological Survey—		
Sale of reports	66 94	
Commissioner of Banking—		
Fees for examining banks.....	24,275 02	
Commissioner of Insurance—		
Fees—Co-operative associations	360 00	
Retaliatory fees	24,586 29	
Commissioner of State Land Office—		
Plats, etc	2,534 91	
Settlers' licenses	9 10	
Dairy and Food Commissioner—		
Fees and licenses	7,330 40	
Governor—		
Fees, notaries public.....	3,961 00	
Inspection of orchards and nurseries.....	1,077 51	
Secretary of State—		
Building and loan examination fees.....	1,743 66	
Certificates and certified copies.....	2,924 39	
Commercial reports	1,502 79	
Commissions to commissioners of deeds.....	27 00	
Compiled laws, sale of	271 50	
Embalmer's licenses	25 00	
Legislative manuals, sale of.....	10 00	
Amount carried forward	\$88,342 79	\$18,536,173 81

Amount brought forward.....	\$88,342 79	\$18,536,173 81
Secretary of State—Continued.		
Motor vehicles licenses.....	4,640 80	
Recording fees	6,300 05	
Records of supt. of poor.....	25 50	
Requisition fees	38 00	
Secret marriage fees	71 00	
Session laws, sale of	618 82	
Venders' licenses	25 00	
Witness fees	27 30	
State Librarian—		
Pioneer collections, sale of	6 00	
State Oil Inspector—		
Inspection fees	10,721 26	
State Treasurer—		
Fees for copies of records.....	129 00	
Peddlers' licenses	7,840 00	
State Game and Fish Warden—		
Special permit	155 00	
State Non-Game License Commission.....	5 00	
		118,945 52
Interest—		
Specific and other taxes	\$28,180 00	
Surplus funds	131,030 80	
		159,210 80
Refunding—		
Awards of Board of State Auditors.....	\$278 48	
Auditor General's office	7 01	
Board of Registration in Medicine.....	2 50	
Costs of suits	551 60	
Expense of circuit judges.....	29 16	
Expense, Game and Fish Warden.....	12 30	
History and information, Adjutant General's office	337 76	
Incidental expenses, legislature.....	3 00	
Salary, circuit judges	213 00	
Salary, clerks Auditor General's office.....	141 25	
Salary, clerks Tax Commission	40 76	
Salary, Dep. R. R. Commissioner.....	41 67	
Support of Insane, Eastern Asylum.....	5,693 68	
Support of insane, Michigan Asylum.....	10,244 40	
Support of insane, Northern Asylum.....	2,743 02	
Support of insane, State Asylum.....	553 45	
Support of insane, U. P. Hospital.....	51 36	
Redemption deposit	3 03	
Wild cat bounty	12 00	
		20,959 43
Appropriations—		
Board of Fish Commissioners.....	\$6 25	
Home for Feeble Minded and Epileptic.....	6,278 78	
Michigan Board of Pharmacy.....	427 25	
Michigan College of Mines	8 71	
Michigan Soldiers' Home	87	
Psychopathic ward	2,500 00	
School for Blind	6 28	
Schools for Boys	6 14	
School for the Deaf	2,283 02	
Teachers' Institutes	80 81	
University	9,190 85	
		20,788 96
Amount carried forward		\$18,856,078 52

Amount brought forward.....		\$18,856,078 52
State Lands, Purchase of—		
Asset lands—principal and interest.....	\$228 00	
Asylum lands—principal and interest.....	175 90	
Salt Spring lands—principal and interest.....	131 03	
State building lands—principal and interest...	140 12	
Five per cent from sale of lands by U. S.....	1,345 49	
Reserve tax homestead lands.....	224,539 91	
Sale of timber from reserve tax homestead lands	7 92	
State tax homestead certificates.....	1,770 36	
Taxes on part-paid lands	360 55	
Trespass collections, Forestry Reserve lands.....	3,001 11	
Trespass collection, State tax homestead lands..	3,213 06	
Trespass collections, State tax lands.....	2,435 71	
		237,349 16
Miscellaneous—		
Barbers' Commission—fees	\$2,365 91	
Board of Registration in Medicine—fees.....	5,360 33	
Conscience money	50 00	
Escheats—Estates of unknown deceased persons	24 84	
Mackinac Island State Park Improvement.....	1,000 00	
Sale of fish, etc., seized by Game and Fish Warden	573 79	
Sale of old materials.....	4,801 73	
State Board of Health—Embalmers' fund.....	27 48	
State Board of Osteopathy—fees.....	329 00	
U. S. Government in aid Agricultural College..	25,000 00	
U. S. Government in aid Soldiers' Home.....	90,525 00	
		130,058 08
Transfers—		
From Agricultural College fund.....	\$4,391 00	
From Normal School fund.....	32 00	
From Primary School fund.....	18,073 89	
From Primary School interest fund.....	1,321 53	
From Specific Tax fund.....	1,519 51	
From Swamp Land fund.....	12,472 03	
From University fund.....	566 25	
		38,376 21
Total		<u>\$19,261,861 97</u>

General Fund.

DISBURSEMENTS.

Appropriations—

Asylum for the Insane, Eastern Michigan.....	\$40,000 00
Asylum for the Insane, Michigan.....	35,500 00
Asylum, State	7,534 90
Board of Corrections and Charities.....	4,704 75
Board of Fish Commissioners.....	33,075 00
Board of Geological Survey.....	10,957 52
Board of Health, State.....	9,511 13
Board of Library Commissioners, State.....	2,858 07
Bureau of Labor and Industrial Statistics.....	28,776 36
College, Agricultural	221,000 00
College, State Normal	112,000 00
College of Mines, Michigan.....	71,500 00
Commissioner of Mineral Statistics.....	2,500 00
Dairy and Food Commissioner.....	43,016 45
Dairy Men's Association	300 00
Expense M. A. C. celebration, Semi-Centennial Anniversary	782 72
Forestry Commission	1,372 39
Forestry Reserve	7,512 55
History and Information, Adjutant General's office	1,508 33
Home for Feeble Minded and Epileptic.....	119,166 67
Hospital for Insane, Upper Peninsula.....	4,963 15
Jamestown Ter-Centennial Exposition.....	5,000 00
Lake Superior Semi-Centennial Celebration Com- mission	12,415 93
Locating Position Michigan Troops, Vicksburg..	84 67
Mackinac Island Park Improvement.....	3,500 00
Michigan Employment Institution for the Blind	25,000 00
Michigan Reformatory	1,000 00
Michigan School for the Blind.....	32,000 00
Michigan Soldiers' Home	154,890 03
Michigan State Horticultural Society.....	1,289 79
Military Account	126,500 80
Naval Brigade	16,866 77
Normal School, Central Michigan.....	71,565 00
Normal School, Northern State.....	98,538 89
Normal School, Western State.....	50,000 00
Pioneer Historical Society	4,000 00
Relief of T. C. Bergeron.....	300 00
Relief of Alphonse Button.....	325 00
Relief of William E. Densmore.....	195 00
Relief of Supreme Court.....	8,000 00
Riverside Cemetery	10 00
School for the Deaf	85,000 00
Soldiers' and Sailors' Monument.....	100 00
State Bounty	300 00
State Highway Department	61,876 92
State Industrial School for Boys.....	86,100 00
State Industrial Home for Girls.....	74,250 00
State House of Correction and Br. P., U. P....	1,300 00
State Library	13,000 00

Amount carried forward \$1,691,948 79

Amount brought forward	\$1,691,948 79	
Appropriations—Continued.		
State Prison	10,935 00	
State Public School	48,000 00	
State Sanatorium	30,700 00	
State Teachers' Institutes	2,720 17	
University of Michigan	401,295 00	
		\$2,185,598 96
Expenses of State Government—		
Advertising Asylum Lands	\$6 30	
Advertising Reserve Tax Homestead Lands....	313 25	
Advertising State Tax Homestead Lands.....	126 00	
Advisory Board in Matters of Pardons.....	5,637 10	
Agricultural College, aid from U. S. Government	25,000 00	
Agent Industrial School for Boys.....	450 29	
Agent Industrial Home for Girls.....	1,102 99	
Agent of State Public School.....	3,006 78	
Appraisal, Asylum Lands	2 00	
Apprehending Escaped Convicts	630 40	
Apprehending Escaped Patients	2 15	
Awards of Board of State Auditors.....	248,829 64	
Boards of Visitors to Educational Institutions..	10 29	
Care of Juvenile Offenders.....	10,123 48	
Conveying Children to State Industrial School for Boys	4,787 43	
Conveying Children to State Industrial School for Girls	2,510 23	
Conveying Convicts to Michigan Reformatory..	4,737 14	
Conveying Convicts to State House of Correction and Branch Prison, Upper Peninsula.....	2,951 12	
Conveying Convicts to State Prison.....	2,775 75	
Conveying Convicts to Detroit House of Correction	500 45	
Conveying Convicts from Jackson to Lake City	30 40	
Coroners' fees	1,851 49	
County Normal Training Class.....	25,000 00	
Day Schools for Deaf	16,367 62	
Expense Members Board State Auditors.....	441 06	
Expense Circuit Judges	4,401 72	
Expense of Census 1904	1,396 11	
Expense of collecting inheritance specific tax....	6,012 46	
Expense Parole Convicts	433 12	
Expenses of Game and Fish Warden.....	24,561 54	
Expense Building and Loan Division, Secretary of State	2,241 68	
Expense of State Reporter	210 44	
Fines and Penalties	186 65	
Inspection of Orchards and Nurseries.....	1,859 13	
Judiciary—Supreme and Circuit Courts.....	3,913 55	
Costs of Suits	25,472 78	
Medical Treatment of Children.....	5,268 81	
Members of Boards of State Institutions.....	7,963 20	
Michigan Board of Pharmacy	2,500 00	
Michigan Reformatory (Current Expenses).....	18,000 00	
Motor Vehicles	87 58	
Preservation of Forests	1,627 43	
Prevention of Cholera	70 00	
Protection of Children	240 97	
Psychopathic Ward, U. of M.....	9,198 56	
Rent Account	2,858 93	
Amount carried forward.....	\$475,698 02	\$2,185,598 96

APPENDIX.

Amount brought forward.....	\$475,698 02	\$2,185,598 96
enses of State Government— <i>Continued.</i>		/
Return of Children from State Public School....	42 80	
Salaries and Expenses Barbers' Commission....	2,960 63	
Salaries and Expenses Board of Registration in Medicine	6,204 20	
Salaries and Expenses State Board of Tax Com- missioners and Assessors	43,437 58	
State Banking Department, salaries and expenses	30,838 05	
State Board of Equalization.....	629 40	
State Board of Osteopathy	335 75	
State House of Correction and Branch Prison, Upper Peninsula (Current Expenses).....	36,000 00	
State Live Stock Sanitary Commission.....	4,829 44	
State Prison (Current Expenses)	48,000 00	
State Court of Mediation and Arbitration.....	1,341 97	
Supervisors' Appraisals	2 25	
Support of Female Convicts.....	2,052 81	
Support of Insane, Eastern Asylum.....	204,303 89	
Support of Insane, Michigan Asylum.....	303,873 35	
Support of Insane, Northern Asylum.....	236,955 36	
Support of Insane, State Asylum.....	56,225 51	
Support of Insane, Upper Peninsula Hospital...	126,081 80	
Support of Insane, Wayne County Asylum.....	69,626 12	
Transfer of Convicts (Insane)	992 94	
Transportation of Insane	141 09	
Transportation of Children to State Public School	1,691 46	
Transportation and Temporary Relief of Poor...	735 50	
Treasurer State Public School.....	583 50	
Wolf, Wildcat and Lynx Bounties.....	3,877 50	
		1,657,460 92
Expenses of State Institutions—charged back to counties—		
Michigan School for the Blind.....	\$2,489 78	
School for the Deaf	4,672 00	
		7,161 78
Legislature—		
Per Diem and Mileage, Senate.....	\$51,342 40	
Per Diem and Mileage, House.....	97,607 20	
Incidental Expenses	15,153 60	
Stationery	555 00	
		164,658 20
Refunding—		
Auditor General's Office	\$131,722 68	
Interest on Overdue Taxes.....	3,530 84	
Railroad Taxes	845 58	
Reserve Tax Homestead Lands.....	1,124 93	
State Tax Homestead Lands.....	96 00	
Trespass State Tax Lands.....	50 00	
Tax Histories	1 56	
		119,371
Salaries—		
State Officers, Clerks and Judges of Courts....	\$473,616 82	
		473,616
Taxes—		
Expenses of sale and collecting Delinquent State Tax	\$29,332 73	
Sundry Counties (new tax law).....	481,194 10	
Fund for Counties (old tax law).....	280 57	
		510,8
Amount carried forward		\$5,118,1

Amount brought forward		\$5,118,675 67
Transfers—		
To Primary School Fund.....	\$1,754 49	
To Primary School Interest Fund.....	12,355,077 77	
To Swamp Land Fund	38 60	
To Specific Tax Fund	69 48	
To University Interest Fund.....	50 00	
		<hr/>
		12,356,990 34
Balance June 30, 1907		1,786,195 96
		<hr/>
Total		<u>\$19,261,861 97</u>

Specific Tax Fund.

RECEIPTS.

Taxes—		
From boiler inspection insurance companies.....	\$942 46	
From canal companies	1,500 00	
From fire insurance companies	217,409 83	
From guarantee insurance companies.....	17,273 42	
From life insurance companies.....	202,637 58	
From live stock insurance companies.....	23 22	
From plank and gravel road companies.....	498 48	
From plate glass insurance companies.....	760 61	
From river improvement companies	319 00	
From telegraph companies	9,168 50	
From telephone companies	99,985 15	
From franchise fees	144,154 02	
From inheritance tax	179,313 73	
From power companies	5,000 00	
Penalties from delinquent corporations.....	1,500 00	
Transfer from General Fund.....	69 48	
Total		<u>\$880,555 48</u>

Agricultural College Fund.

RECEIPTS.

From sale of lands	\$4,391 00	
Total		<u>\$4,391 00</u>

Normal School Fund.

RECEIPTS.

From sale of lands	\$32 00	
Total		<u>\$32 00</u>

Primary School Fund.

RECEIPTS.

Transfer from Escheat Fund.....	\$449 49	
From sale of lands	17,624 40	
Total		<u>\$18,073 89</u>

University Fund.

RECEIPTS.

From sale of lands	\$566 25	
Total		<u>\$566 25</u>

Specific Tax Fund.

DISBURSEMENTS.

Transfers—

To General Fund	\$1,519 51
To Agricultural College Interest Fund.....	68,271 42
To Normal School Interest Fund.....	4,300 26
To Primary School Interest Fund, surplus.....	768,282 33
To University Interest Fund.....	38,081 00
Refunding, Inheritance Tax	90 96
Refunding, Franchise Fees	10 00

Total \$880,555 48

Agricultural College Fund.

DISBURSEMENTS.

Transfer to General Fund..... \$4,391 00

Total \$4,391 00

Normal School Fund.

DISBURSEMENTS.

Transfer to General Fund..... \$32 00

Total \$32 00

Primary School Fund.

DISBURSEMENTS.

Transfer to General Fund..... \$18,073 89

Total \$18,073 89

University Fund.

DISBURSEMENTS.

Transfer to General Fund..... \$566 25

Total \$566 25

INTEREST FUNDS.

Agricultural College Interest Fund.

RECEIPTS.

Balance July 1, 1906.....	\$10 50	
Interest on lands	1,927 33	
Transfer from Specific Tax Fund.....	68,271 42	
Total		\$70,20

Normal School Interest Fund.

RECEIPTS.

Balance July 1, 1906.....	\$4,174 61	
Interest on lands	40 06	
Transfer from Specific Tax Fund.....	4,300 26	
Total		\$8,51

Primary School Interest Fund.

RECEIPTS.

Balance July 1, 1906.....	\$438,922 80	
Interest on lands	3,815 95	
Trespass collections	29 00	
Transfer from Specific Tax Fund.....	768,282 33	
Transfer from General Fund.....	12,355,077 77	
Transfer from Normal School Interest Fund.....	172 09	
Total		\$13,566,29

University Interest Fund.

RECEIPTS.

Balance July 1, 1906.....	\$9,760 01	
Interest on lands	354 46	
Transfer from Specific Tax Fund.....	38,081 00	
Transfer From General Fund (Act 140, 1895).....	50 00	
Total		\$48,24

Swamp Land Fund.

RECEIPTS.

Interest on lands	\$287 28	
Sale of lands—Cash.....	12,184 75	
Transfer from General Fund.....	38 60	
Total		\$12,51

INTEREST FUNDS.

Agricultural College Interest Fund.

DISBURSEMENTS.

Advertising	\$14 70	
Supervisors' appraisals	27 00	
Treasurer of Agricultural College.....	70,155 22	
Balance June 30, 1907.....	12 33	
Total		<u>\$70,209 25</u>

Normal School Interest Fund.

DISBURSEMENTS.

Treasurer of Normal Schools.....	\$6,238 49	
Transfer to Primary School Interest Fund.....	172 09	
Balance June 30, 1907.....	2,104 35	
Total		<u>\$8,514 93</u>

Primary School Interest Fund.

DISBURSEMENTS.

Transfer to General Fund.....	\$1,321 53	
Advertising	25 20	
Supervisors' appraisals	59 00	
Apportionment to counties	8,908,065 50	
Balance June 30, 1907	4,656,828 71	
Total		<u>\$13,566,299 94</u>

University Interest Fund.

DISBURSEMENTS.

Advertising forfeited lands	\$2 10	
Treasurer of University of Michigan.....	38,524 59	
Balance June 30, 1907	9,718 78	
Total		<u>\$48,245 47</u>

Swamp Land Fund.

DISBURSEMENTS.

Advertising	\$33 60	
Supervisors' appraisals	5 00	
Transfer to General Fund.....	12,472 03	
Total		<u>\$12,510 63</u>

MISCELLANEOUS ACCOUNTS.

Sundry Deposits Account.

RECEIPTS.

Balance July 1, 1906.....	\$315,126 15	
Assets, City Savings Bank, Detroit.....	60,524 70	
Assets, State Bank of White Pigeon.....	19,106 83	
		<hr/>
Total		\$394,757 68

War Fund.

RECEIPTS.

Balance July 1, 1906.....	\$245 00	
		<hr/>
Total		\$245 00

Escheat Fund.

RECEIPTS.

From estates of deceased persons.....	\$2,203 98	
		<hr/>
Total		\$2,203 98

SUSPENSE ACCOUNT.

RECEIPTS.

Dividends received from H. B. Davock, Referee in Bankruptcy	\$194 48	
Balance June 30, 1907.....	32,334 00	
		<hr/>
Total		\$32,528 48

MISCELLANEOUS ACCOUNTS.

Sundry Deposits Account.

DISBURSEMENTS.

Outstanding checks	\$114 43	
Assets, City Savings Bank, Detroit.....	5,428 14	
Assets, State Bank of White Pigeon.....	23,119 18	
Balance June 30, 1907.....	366,095 93	
	<hr/>	
Total		<u>\$394,757 68</u>

War Fund.

DISBURSEMENTS.

Balance June 30, 1907.....	\$245 00	
	<hr/>	
Total		<u>\$245 00</u>

Escheat Fund.

DISBURSEMENTS.

Transfer to Primary School Fund.....	\$2,203 98	
	<hr/>	
Total		<u>\$2,203 98</u>

SUSPENSE ACCOUNT.

DISBURSEMENTS.

Balance July 1, 1906	\$32,528 48	
	<hr/>	

Aggregate of receipts from all sources and all disbursements for all purposes for each month of the fiscal year ending June 30, 1907, showing the cash balance at the end of each month:

	<i>Receipts.</i>	<i>Disbursements.</i>	<i>Balances.</i>
1906—July	\$259,595 10	\$471,953 21	\$11,527,144 56
August	107,473 84	377,157 57	11,257,460 83
September	387,880 43	522,100 52	11,123,240 74
October	122,256 18	295,760 48	10,949,736 44
November	137,942 18	8,579,246 05	2,508,432 57
December	279,235 55	463,673 39	2,323,994 73
1907—January	1,606,868 09	409,285 54	3,521,577 28
February	810,125 24	508,583 39	3,283,119 13
March	881,538 74	431,337 98	4,273,319 89
April	3,325,068 00	400,073 18	6,604,256 57
May	706,165 39	1,199,022 28	6,705,457 82
June	597,558 92	514,149 68	6,788,867 06
Totals	\$9,221,707 66	\$14,172,343 27	

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TO THE
PUBLIC ACTS
OF THE
STATE OF MICHIGAN

**ENACTED BY THE LEGISLATURE OF 1907, WITH REFERENCES TO
THE SECTIONS AND CHAPTERS OF
THE COMPILED LAWS OF 1897, VOLUMES 1, 2 AND 3
RESPECTIVELY, AMENDED OR REPEALED.**

**Prepared and published under the supervision of the Secretary of State
in compliance with Act No. 44, Public Acts 1899.**

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